

Partial Assignment

FILE#: G 15495

Name RUDOLPH PAYGR
By WOLLENHORST RUSS, JOANN
Address 17823 COUNTRY RD 85 B
EPARTO, CA 95627

Application No. C15495

Permit No. G-15405

Certificate No. 97571

SEE ALSO FILE G-15381 - DROUGHT

Stream Index, Page No.

FEEES PAID

Date	Amount	Receipt No.
5-10-01	725 ⁰⁰	44934
4-14-2023	\$120.00	137914
07/22/22	\$120.00	138726
07/28/22	780.00	138764
12/14/22	480 ⁰⁰ Cert. Fee	CA0012

FEEES REFUNDED

Date	Amount	Check No.

Date filed

Priority

Action suspended until C07

Return to applicant

Date of approval

ASSIGNMENTS

Date	To Whom	Address	Volume	Page
4/21/2022	William Bownam Revocable Living Trust	26112 Paygr Rd.; Malin, OR. 97632		
7/29/2022	Criss Duncan	PO Box 64; Malin, OR. 97632		

REMARKS

CONSTRUCTION

Date for beginning 5-1-04

Date for completion

Extended to

Date for application of water 10-1-07

Extended to

PROSECUTION OF WORK

Form "A" filed

Form "B" filed

Form "C" filed

FINAL PROOF

Blank mailed

Proof received

Date certificate issued 1-26-2024

FEEES PAID
4-25-2023 \$230.00 140573

RA Mailing List for Certificate

Scheduled Mailing Date:

Application: G-15495

Permit: G-15405

Certificate: 97571

Water Right Holder:

Copies Mailed	
by:	<u>KMWF</u> (STAFF)
on:	<u>JAN 26 2024</u> JAN 26 2024

CRISS DUNCAN
PO BOX 64
MALIN OR 97632

WILLIAM BOWMAN RECOVABLE LIVING TRUST
26112 PAYGR RD
MALIN OR 97632

Copies of Final Certificate to be sent to:

1. Watermaster District 17 (include copy of map)
2. Water Availability
3. Vault
4. File

Is the Permit Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records?

YES – Map Taxlot 4011-03600-00400 and 4011-03600-00602 owned by Criss Duncan per KLAMATH County Assessor

YES – Map Taxlot 4011-03600-00600 and 4111-00100-00100 owned by William B Bowman Revocable Living Trust per KLAMATH County Assessor

Other persons to receive copies: (include map):

1. Daniel Scalas, CWRE, Adkins Engineering & Surveying,
1435lanade Avenue, Klamath Falls OR 97601
2. Klamath Irrigation District, 6640 KID Lane, Klamath Falls OR 97603

STATE OF OREGON
 COUNTY OF KLAMATH
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CRISS DUNCAN
 PO BOX 64
 MALIN OR 97632

WILLIAM BOWMAN REVOCABLE LIVING TRUST
 26112 PAYGR RD
 MALIN OR 97632

confirms the right to the use of water perfected under the terms of Permit G-15405. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-15495

SOURCE OF WATER: A WELL IN LOST RIVER BASIN

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION OF 167.5 ACRES

MAXIMUM RATE: 2.09 CUBIC FEET PER SECOND

PERIOD OF USE: APRIL 1 THROUGH SEPTEMBER 30

DATE OF PRIORITY: MAY 10, 2001

WELL LOCATION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
40 S	11 E	WM	36	NE SE	WELL 1 - 1350 FEET NORTH AND 50 FEET WEST FROM SE CORNER, SECTION 36

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

Twp	Rng	Mer	Sec	Q-Q	Acres
40 S	11 E	WM	36	NE SE	34.4
40 S	11 E	WM	36	NW SE	24.8
40 S	11 E	WM	36	SW SE	18.3
40 S	11 E	WM	36	SE SE	32.8
41 S	11 E	WM	1	NE NE	20.4
41 S	11 E	WM	1	NW NE	36.8

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device approved by the Director in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water use information, including the place and nature of use of water under the right.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

To monitor the effect of water use from the well(s) authorized under this right, the Director may require the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time. Reports shall be submitted to the Department within 30 days of measurement.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement; and
- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if annual water level measurements reveal any of the following events:

- (A) An average water level decline of three or more feet per year for five consecutive years; or
- (B) A water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) A water level decline of 25 or more feet; or
- (D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

The reference level against which any future measurements will be compared is 107.94 feet below land surface for Well 1.

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the water user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this right. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

If it is determined there are no underlying rights for these same lands after the adjudication of claims in the Klamath Basin, a certificate resulting from use of water under this right may allow primary, rather than supplemental, irrigation of the lands described above. However, the right evidenced by such a certificate will be limited to the actual use made under this right.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this right, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine the water level elevation in the well at all times.

The Director may require water level or pump test results every ten years.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

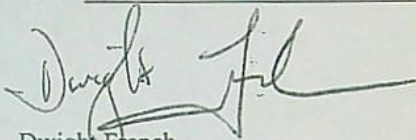
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

The right to the use of the water for the above purpose is restricted to beneficial use on the place of use described.

Issued JAN 26 2024



Dwight French
Water Right Services Division Administrator, for
Douglas E. Woodcock, Acting Director
Oregon Water Resources Department

STATE OF OREGON
WATER RESOURCES DEPARTMENT

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # 140573

INVOICE # _____

RECEIVED FROM: Aspen West, LLC
BY: _____

APPLICATION G-15495
PERMIT _____
TRANSFER _____

CASH: CHECK: # 2342 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 230.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
OTHER: (IDENTIFY) \$ _____

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES 46111 \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) _____ \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) _____ \$ _____
0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE
\$ _____	\$ _____	\$ _____	\$ _____
0203 GROUND WATER	EXAM FEE	0204	RECORD FEE
\$ _____	\$ _____	\$ _____	\$ _____

0205 TRANSFER	EXAM FEE		LICENSE FEE
\$ _____	\$ _____		\$ _____

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR	EXAM FEE	0219	LICENSE FEE
\$ _____	\$ _____	\$ _____	\$ _____
LANDOWNER'S PERMIT		0220	LICENSE FEE
\$ _____		\$ _____	\$ _____

0200 OTHER (IDENTIFY) COBU \$ 230.00

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD# _____
0210 MONITORING WELLS \$ _____ CARD# _____

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$ _____
0231 HYDRO LICENSE FEE (FW/WRD) \$ _____
HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE **RECEIVED**
OBJ. CODE _____ VENDOR# **OVER THE COUNTER**
DESCRIPTION \$ _____

RECEIPT: 140573 DATED: 4-25-23 BY: umcalyp

STATE OF OREGON
WATER RESOURCES DEPARTMENT

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # 140573

INVOICE # _____

RECEIVED FROM: Aspen West, LLC
BY: _____

APPLICATION G-15495
PERMIT _____
TRANSFER _____

CASH: CHECK: # 2342 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 230.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
OTHER: (IDENTIFY) \$ _____

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

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OTHER (IDENTIFY) _____

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0233 POWER LICENSE FEE (FW/WRD) \$ _____
0231 HYDRO LICENSE FEE (FW/WRD) \$ _____
HYDRO APPLICATION \$ _____

TREASURY **RECEIVED** OTHER / RDX

FUND _____ **OVER THE COUNTER**
OBJ. CODE _____ VENDOR# _____
DESCRIPTION \$ _____

RECEIPT: 140573 DATED: 4-25-23 BY: umcalyp

CLAIM OF BENEFICIAL USE for Groundwater Permits claiming more than 0.1 cfs



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.oregon.gov/OWRD

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A fee of \$230 must accompany this form for permits
with priority dates of July 9, 1987, or later.

A separate form shall be completed for each permit.

In cases where a permit has been amended through the permit amendment process, a separate claim for the permit amendment is not required. Incorporate the permit amendment into the claim for the permit.

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at:
<https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter any section of this form unless directed by the form.** The Department may require the submittal of additional information from any water user or authorized agent.

"Section 8" of this form is intended to aid in the completion of this form and should not be submitted.

A claim of beneficial use includes both this report and a map. If the map is being mailed separately from this form, please include a note with this form indicating such.

If you have questions regarding the completion of this form, please call 503-979-9103.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see

<https://www.oregon.gov/OWRD/programs/WaterRights/RA/Pages/default.aspx>

SECTION 1

GENERAL INFORMATION

1. File Information:

APPLICATION # G-15495	PERMIT # (IF APPLICABLE) G-15405	PERMIT AMENDMENT # (IF APPLICABLE) N/A
---------------------------------	--	--

2. Property Owner (current owner information):

APPLICANT/BUSINESS NAME Criss Duncan		PHONE NO. 541-941-8253	ADDITIONAL CONTACT NO.
ADDRESS PO Box 64			
CITY Malin	STATE OR	ZIP 97632	E-MAIL Ccduncan71@gmail.com

If the current property owner is not the permit holder of record, it is recommended that an assignment be filed with the Department. *Each permit holder of record must sign this form.*

3. Permit holder of record (this may, or may not, be the current property owner):

PERMIT HOLDER OF RECORD Criss Duncan			
ADDRESS PO Box 64			
CITY Malin	STATE OR	ZIP 97632	

ADDITIONAL PERMIT HOLDER OF RECORD William Bowman Revocable Living Trust			
ADDRESS 26112 Paygr Rd.			
CITY Malin	STATE OR	ZIP 97632	

4. Date of Site Inspection:

2/23/2023

5. Person(s) interviewed and description of their association with the project:

NAME	DATE	ASSOCIATION WITH THE PROJECT
Criss Duncan	2/23/2023	Owner
William Bowman	2/23/2023	Owner

6. County:

Klamath

7. If any property described in the place of use of the permit is excluded from this report, identify the owner of record for that property (ORS 537.230(5)):

OWNER OF RECORD			
ADDRESS			
CITY	STATE	ZIP	

Add additional tables for owners of record as needed

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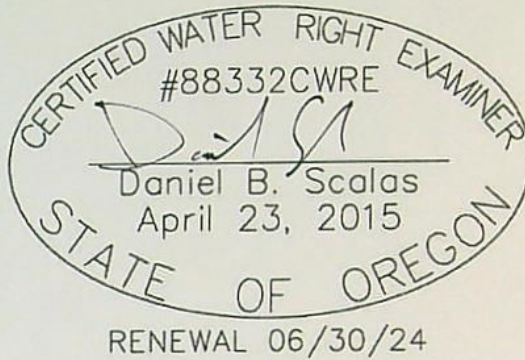
OWRD

WR

**SECTION 2
SIGNATURES**

CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.



CWRE NAME Daniel B. Scalas		PHONE No. 541-884-4666	ADDITIONAL CONTACT No.
ADDRESS 1435 Esplanade Ave.			
CITY Klamath Falls	STATE OR	ZIP 97601	E-MAIL dscalas@adkinsengineering.com

Permit Holder of Record Signature or Acknowledgement

Each permit holder of record must sign this form in the space provided below.

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	Criss Duncan	Owner	
	William Bowman	Owner	

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SECTION 3
CLAIM DESCRIPTION

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1. Point of appropriation name or number:

POINT OF APPROPRIATION (POA) NAME OR NUMBER (CORRESPOND TO MAP)	WELL LOG ID # FOR ALL WORK PERFORMED ON THE WELL (IF APPLICABLE)	WELL TAG # (IF APPLICABLE)
Well 1	KLAM 52759	37550

Attach each well log available for the well (include the log for the original well and any subsequent alterations, reconstructions, or deepening)

2. Point of appropriation source, if indicated on permit:

POA NAME OR NUMBER	SOURCE BASIN LOCATED WITHIN	TRIBUTARY
Well 1	Lost River Basin	N/A

3. Developed use(s), period of use, and rate for each use:

POA NAME OR NUMBER	USES	IF IRRIGATION, LIST CROP TYPE	SEASON OR MONTHS WHEN WATER WAS USED	ACTUAL RATE OR VOLUME USED (CFS, GPM, OR AF)
Well 1	Supplemental Irrigation	Hay and Grain	April 1 – September 30	3.70 CFS
Total Quantity of Water Used				3.70 CFS

4. Provide a general narrative description of the distribution works. This description must trace the water system from each point of appropriation to the place of use:

North of Paygr Road

From Well 1, water can be diverted to the north and west.

To the north from Well 1, water is diverted approximately 800' through 10" aboveground aluminum pipe. From there, water is diverted approximately 590' north through 8" aboveground aluminum pipe before turning west and traveling approximately 2,120' through 8" aboveground aluminum pipe.

To the west from Well 1, water is diverted approximately 1,000' through 10" aboveground aluminum pipe.

These mainlines can be tied into wheel lines with 3/16" sprinkler nozzles to irrigate lands in the NW1/4 SE1/4, NE1/4 SE1/4, SW1/4 SE1/4, and SE1/4 SE1/4 of Section 36.

South of Paygr Road

From Well 1, water is diverted west approximately 460' through 10" aboveground aluminum pipe. From there, the mainline can be tied into 8" buried aluminum pipe before passing through a culvert beneath Paygr Road. After passing through the culvert, the 8" buried aluminum pipe can travel west-southwest approximately 1,200' before tying into 10" buried aluminum pipe. The 10" buried aluminum pipe continues directly south for approximately 2,000'.

These mainlines can be tied into wheel lines with 3/16" sprinkler nozzles to irrigate lands in the SW1/4 SE1/4 and SE1/4 SE1/4 of Section 36, and the NW1/4 NE1/4 and NE1/4 NE1/4 of Section 1.

Reminder: The map associated with this claim must identify the location of the point(s) of diversion, Donation Land Claims (DLC), Government Lots (GLot), and Quarter-Quarters (QQ).

5. Variations:

Was the use developed differently from what was authorized by the permit, permit amendment final order, or extension final order? If yes, describe below. **YES**

(e.g. "The permit allowed three points of appropriation. The water user only developed one of the points." or "The permit allowed 40.0 acres of irrigation. The water user only developed 10.0 acres.")

The permit allowed 172.2 acres for supplemental irrigation; however, only 167.5 acres were developed for beneficial use.

6. Claim Summary:

POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
Well 1	2.15 CFS	3.70 CFS	N/A	Supplemental Irrigation	172.2	167.5

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SECTION 4
SYSTEM DESCRIPTION

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Are there multiple POAs? NO

A. Place of Use

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1. Is the right for municipal use? NO

TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
40S	11E	WM	36	NE SE			Supplemental Irrigation	0.0	34.4
40S	11E	WM	36	NW SE			Supplemental Irrigation	0.0	24.8
40S	11E	WM	36	SW SE			Supplemental Irrigation	0.0	18.3
40S	11E	WM	36	SE SE			Supplemental Irrigation	0.0	32.8
41S	11E	WM	1	NE NE			Supplemental Irrigation	0.0	20.4
41S	11E	WM	1	NW NE			Supplemental Irrigation	0.0	36.8
Total Acres Irrigated								0.0	167.5

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (GLOT), Quarter Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, GLOT, and QQ.

B. Groundwater Source Information (Well)

1. Is the appropriation from a well? YES

2. Describe the access port (type and location) or other means to measure the water level in the well:

0.75" cap on the south side of well 1.0' above ground

3. If well logs are not available, provide as much of the following information as possible:

CASING DIAMETER	CASING DEPTH	TOTAL DEPTH	COMPLETION DATE OF ORIGINAL WELL	COMPLETION DATES OF ALTERATIONS	WHO THE WELL WAS DRILLED FOR	WELL DRILLED BY
N/A						

4. In addition to the information requested in item "3" above, provide any other information which may help the Department locate any well logs associated with this appropriation.

KLAM 52759

C. Groundwater Source Information (Sump)

1. Is the appropriation from a dug well (sump)? NO

D. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of appropriation to the place of use.

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YES

1. Is a pump used?

2. Pump Information:

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Unknown	Unknown	Unknown	Turbine	16"	12"

3. Motor Information:

MANUFACTURER	HORSEPOWER
U.S. Electrical Motors	150 HP

4. Theoretical Pump Capacity:

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
150 HP	60	133.0'	65.0'	3.70 CFS

5. Provide pump calculations:

See Attachment D for theoretical pump calculations.

6. Measured Pump Capacity (using meter if meter was present and system was operating):

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
N/A			

Reminder: For pump calculations use the reference information at the end of this document.

7. Is the distribution system piped?

YES

8. Mainline Information:

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
8"	2710'	Aluminum	Above Ground
10"	1800'	Aluminum	Above Ground
8"	1200'	Aluminum	Buried
10"	2000'	Aluminum	Buried

9. Lateral or Handline Information:

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
N/A			

10. Sprinkler Information:

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
3/16"	60 PSI	7.8 GPM	99	99	1.72 CFS
3/16"	60 PSI	7.8 GPM	171	171	2.97 CFS

Reminder: For sprinkler output determination use the reference information at the end of this document.

11. Drip Emitter Information:

SIZE	OPERATING PSI	EMITTER OUTPUT (GPM)	TOTAL NUMBER OF EMITTERS	MAXIMUM NUMBER USED	TOTAL EMITTER OUTPUT (CFS)
N/A					

12. Drip Tape Information:

DRIPPER SPACING IN INCHES	GPM PER 100 FEET	TOTAL LENGTH OF TAPE	MAXIMUM LENGTH OF TAPE USED	TOTAL TAPE OUTPUT (CFS)	ADDITIONAL INFORMATION
N/A					

13. Pivot Information:

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)
N/A				

E. Storage

1. Does the distribution system include in-system storage (e.g. storage tank, bulge in system / reservoir)? NO

F. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe? NO

G. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system? NO

H. Additional notes or comments related to the system:

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SECTION 5 CONDITIONS

All conditions contained in the permit, permit amendment, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Permits and extension final orders contain any or all of the following dates: the date when the actual construction work was to begin, the date when the construction was to be completed, and the date when the complete application of water to the proposed use was to be completed. These dates may be referred to as ABC dates. Describe how the water user has complied with each of the development timelines established in the permit or permit extension order:

	DATE FROM PERMIT	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	5/1/2003		
BEGIN CONSTRUCTION (A)	N/A	N/A	N/A
COMPLETE CONSTRUCTION (B)	N/A	N/A	N/A
COMPLETE APPLICATION OF WATER (C)	10/1/2007	5/1/2003	Full beneficial use of water was ready, willing, and able to be used.

* MUST BE WITHIN PERIOD BETWEEN PERMIT, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETELY APPLY WATER

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NO

2. Is there an extension final order(s)?

3. Initial Water Level Measurements:

OWRD

a. Was the water user required to submit an initial static water level measurement? YES

b. What month was the initial measurement to be taken in?

March

c. Was the measurement submitted to the Department? YES

d. If the initial measurement was not submitted, provide that measurement now, if available:

DATE OF MEASUREMENT	MEASUREMENT MADE BY	METHOD	MEASUREMENT
N/A			

4. Annual Static Water Level Measurements:

a. Was the water user required to submit annual static water level measurements? YES

b. Provide the month, or months, the static water level measurement(s) were to be made:

March

c. Were the static water level measurements taken in the month(s) required? YES

d. If "YES", were those measurements submitted to the Department? YES

e. If the annual measurements were not submitted, provide the measurements now:

DATE OF MEASUREMENT	MEASUREMENT MADE BY	METHOD	MEASUREMENT
N/A			

5. Pump Test:

a. Did the permit require the submittal of a pump test? YES

Ground water permits with priority dates on or after **December 20, 1988**, require the submittal of a pump test prior to issuance of a certificate. In some cases, the permit holder may qualify for a multiple well exemption or an unreasonable burden exemption.

For additional information regarding pump tests see:

<https://www.oregon.gov/OWRD/programs/GWWL/GW/Pages/PumpTestProgram.aspx>

b. Has the pump test been previously submitted to the Department? NO

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c. Is the pump test attached to this claim? NO

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d. Has the pump test been approved by the Department? NO

e. Has a pump test exemption been approved by the Department? NO

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**** Claims will not be reviewed until a pump test or exemption has been approved by the Department**

6. Measurement Conditions:

a. Does the permit, permit amendment, or any extension final order require the installation of a meter or approved measuring device? YES

Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion or appropriation.

b. Has a meter been installed? YES

c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
Well 1	Aquamaster	40264	Not Working	N/A	June 2001
Well 1	Seametrics	02211512	Working	66.817381 AF	Spring 2021

***The Aquamaster flowmeter was the original flowmeter installed around June 2001 when the original pump was installed; however, this meter stopped working and was replaced by the Seametrics meter in Spring 2021.**

7. Recording and reporting conditions:

a. Is the water user required to report the water use to the Department? YES

b. Have the reports been submitted? YES

If the reports have not been submitted, attach a copy of the reports if available.

8. Other conditions required by permit, permit amendment final order, or extension final order:

a. Were there special well construction standards? NO

b. Was submittal of a ground water monitoring plan required? NO

c. Was submittal of a water management and conservation plan required? NO

d. Was a Well Identification Number (Well ID tag) assigned and attached to the well? NO

***The well was assigned well tag ID 37550; however, a physical tag was not attached to the well.**

WELL ID #	DATE ATTACHED TO WELL
N/A	N/A

e. Other conditions?

NO

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

SECTION 6 ATTACHMENTS

Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION
Attachment A	Copy of Permit G-15405
Attachment B	Claim of Beneficial Use Map (on mylar)
Attachment C	Claim of Beneficial Use Map (paper copy)
Attachment D	Theoretical Pump Capacity and Sprinkler Calculations
Attachment E	Well Log KLAM 52759
Attachment F	Klamath County Tax Maps 40-11-36 & 41-11-1
Attachment G	Certificate Reimbursement Authority Estimate Application

SECTION 7 CLAIM OF BENEFICIAL USE MAP

The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

This Claim of Beneficial Use Map was prepared from field measurements, NAIP 2022 aerial photography, Klamath County tax maps, and Oregon GLO maps.

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Map Checklist

Please be sure that the map you submit includes ALL the items listed below.

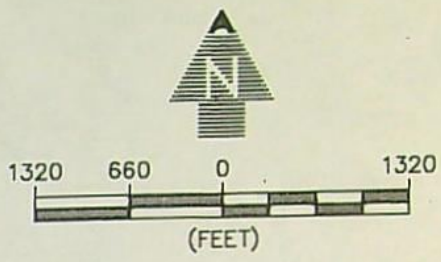
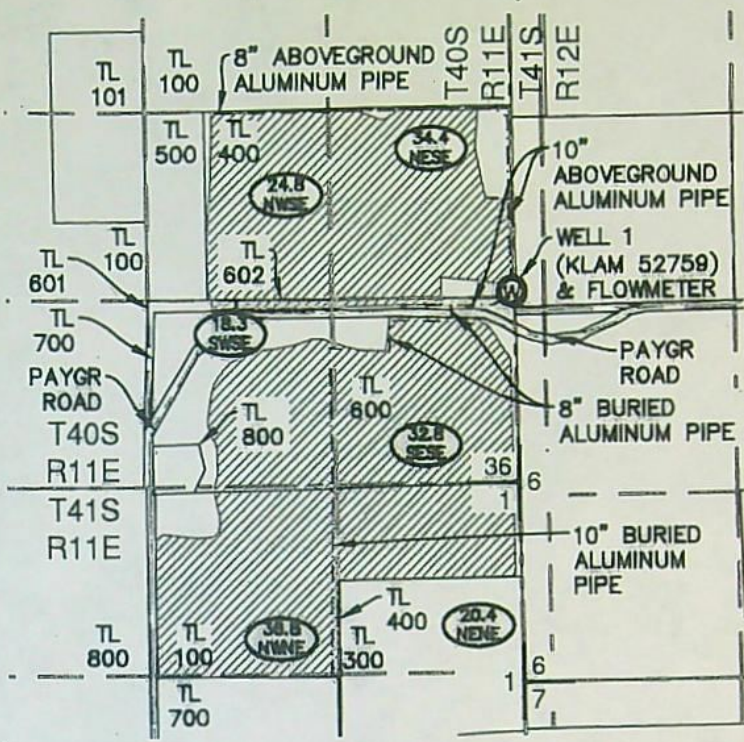
(Reminder: Incomplete maps and/or claims may be returned.)

- Map on polyester film
- Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- Township, Range, Section, Donation Land Claims, and Government Lots
- If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- N/A Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- Locations of meters and/or measuring devices in relationship to point of diversion or appropriation
- Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- Point(s) of diversion or appropriation (illustrated and coordinates)
- Tax lot boundaries and numbers
- N/A Source illustrated if surface water
- Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- Application and permit number or transfer number
- North arrow
- Legend
- CWRE stamp and signature

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LEGEND

- TOWNSHIP LINE
- RANGE LINE
- SECTION LINE
- 1/4 1/4 LINE
- TAX LOT LINE
- MAINLINE PIPE
- ROAD
- 36 | 6 SECTION CORNER
- TL 0000 TAX LOT NUMBER
- ⊙ WELL
- 38.8 NENE IRRIGATED UNDER PERMIT G-15405

NOTES:

1. THIS MAP WAS PREPARED FROM FIELD MEASUREMENTS, NAIP 2022 AERIAL PHOTOGRAPHY, KLAMATH COUNTY TAX MAPS, AND OREGON GLO MAPS.
2. THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT ONLY, AND IS NOT INTENDED TO PROVIDE DIMENSIONS OR LOCATION OF PROPERTY LINES.
3. DATE OF PRIORITY FOR THIS WATER RIGHT IS MAY 10, 2001.

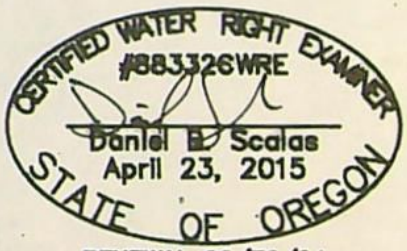
WELL LOCATION:

WELL 1 (KLAM 52759): 1350' NORTH & 50' WEST FROM THE SOUTHEAST CORNER OF SECTION 36.

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4010-01

CLAIM OF BENEFICIAL USE AND FINAL PROOF MAP

FOR
CRISS DUNCAN
T40S, R11E, SEC.6,WM; T41S, R11E, SEC.1,WM
KLAMATH COUNTY, OREGON
PERMIT G-15405
APPLICATION G-15495

3/17/2023

ATTACHMENT A
Copy of Permit G-15405

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STATE OF OREGON

COUNTY OF KLAMATH

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JO ANN WOLLENHORST-RUSS
RUDOLPH PAYGR
17823 COUNTRY RD 85 B
EPARTO, CALIFORNIA 95627

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-15495

SOURCE OF WATER: A WELL IN LOST RIVER BASIN

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION OF 172.2 ACRES

MAXIMUM RATE: 2.15 CUBIC FEET PER SECOND

PERIOD OF USE: APRIL 1 THROUGH SEPTEMBER 30

DATE OF PRIORITY: MAY 10, 2001

WELL LOCATION: NE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 36, T40S, R11E, W.M.; 1400 FEET NORTH
& 200 FEET WEST FROM SE CORNER, SECTION 36

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 37.9 ACRES

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 24.8 ACRES

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 18.3 ACRES

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 34.0 ACRES

SECTION 36

TOWNSHIP 40 SOUTH, RANGE 11 EAST, W.M.

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 20.4 ACRES

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 36.8 ACRES

SECTION 1

TOWNSHIP 41 SOUTH, RANGE 11 EAST, W.M.

Application G-15495 Water Resources Department

PERMIT G-15405

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Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Before Use of Water Takes Place

Initial and Annual Measurements

The Department requires the permittee to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

After Use of Water has Begun

Reference Water Level Determination

Following the first year of water use, the user shall submit one static water level measurement in the month specified above which will establish the reference level against which future annual measurements will be compared. The water user is not required to measure additional water levels after the reference level has been determined unless required by the Director. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer,

licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement; and
- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if annual water level measurements reveal any of the following events:

- (A) An average water level decline of three or more feet per year for five consecutive years; or
- (B) A water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) A water level decline of 25 or more feet; or
- (D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

If it is determined there are no underlying rights for these same lands after the adjudication of claims in the Klamath Basin, a certificate resulting from use of water under this permit may allow primary, rather than supplemental, irrigation of the lands described above. However, the right evidenced by such a certificate will be limited to the actual use made under this permit.

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PAGE 4

STANDARD CONDITIONS OWRD

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Complete application of the water to the use shall be made on or before October 1, 2007. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit,

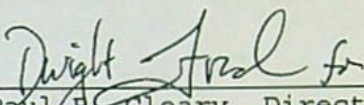
Application G-15495 Water Resources Department

PERMIT G-15405

the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued May 1, 2003


Paul R. Cleary, Director
Water Resources Department

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REAL ESTATE TRANSACTIONS: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.

Application G-15495 Water Resources Department
Basin 14 Volume 2 LOST R
AMH

PERMIT G-15405
District 17

MAP TO ACCOMPANY GROUND WATER APPLICATION

SITUATED IN THE SE1/4 OF SECTION 36, T40S, R11EWM
AND THE NE1/2 OF THE NE1/4 OF SECTION 1, T41S,
R11EWM, KLAMATH COUNTY, OREGON
APRIL, 2001

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FEB 07 2002

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. *915495*
Permit No. *6-05405*

MAP PREPARED FOR

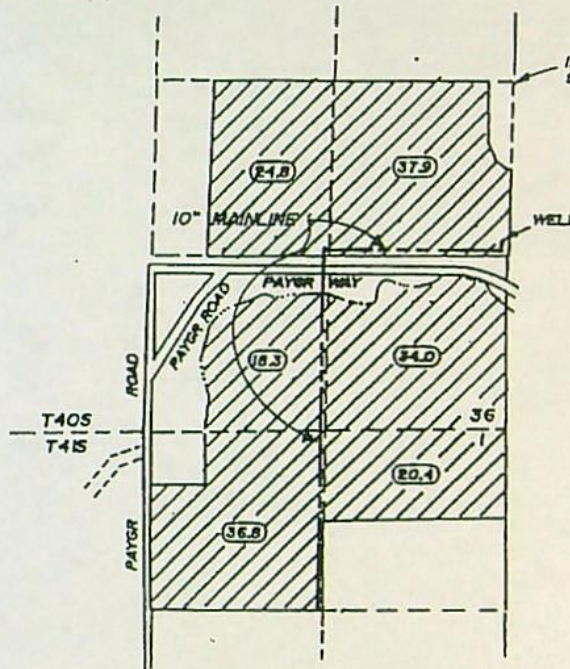
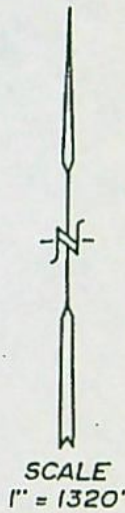
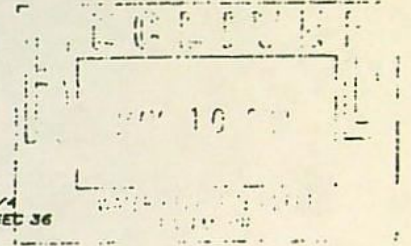
RAYMOND RUSS &

JO ANNE WALLENHORST-RUSS

MAP PREPARED FROM

--ASSESSORS MAP--

--RUDOLPH & MARY PAYGR--



TOTAL AREA
THIS APPLICATION
--172.2 Ac.--

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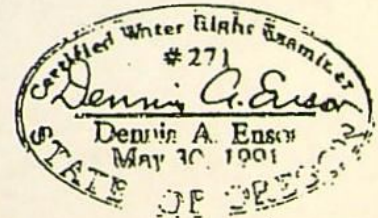
OWRD

LOCATION OF PROPOSED WELL BY OWNER

1400 FEET NORTH AND 200 FEET WEST OF
THE SECTION CORNER BETWEEN 36 AND 1



LANDS THIS APPLICATION



THE PURPOSE OF THIS MAP IS TO IDENTIFY THE
LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED
TO PROVIDE INFORMATION RELATIVE TO THE
LOCATION OF PROPERTY OWNERSHIP BOUNDARY
LINES.

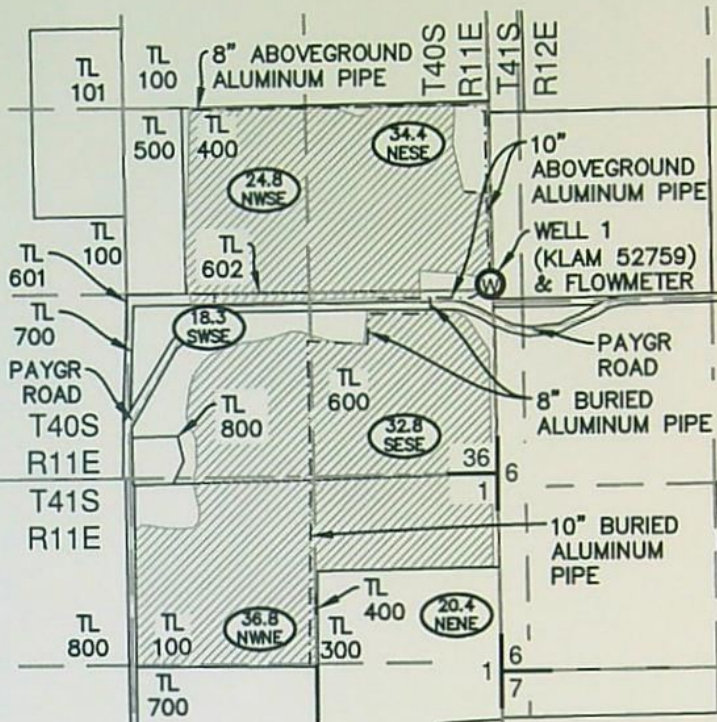
TRU-LINE SURVEYING, INC.
2333 SUMMERS LANE
KLAMATH FALLS, OREGON 97603

ATTACHMENT B
Claim of Beneficial Use Map (on mylar)

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LEGEND

- TOWNSHIP LINE
- - - - RANGE LINE
- SECTION LINE
- - - - 1/4 1/4 LINE
- TAX LOT LINE
- - - - MAINLINE PIPE
- ROAD
- $\frac{36}{1} 6$ SECTION CORNER
- TL 0000 TAX LOT NUMBER
- ⊙ WELL
- $\frac{35.0}{SWSE}$ IRRIGATED UNDER PERMIT G-15405

NOTES:

1. THIS MAP WAS PREPARED FROM FIELD MEASUREMENTS, NAIP 2022 AERIAL PHOTOGRAPHY, KLAMATH COUNTY TAX MAPS, AND OREGON GLO MAPS.
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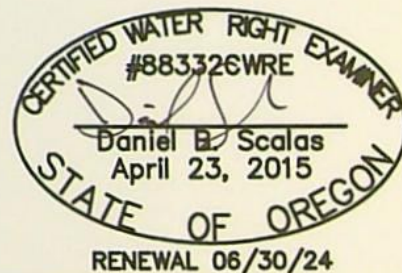
WELL LOCATION:

WELL 1 (KLAM 52759): 1350' NORTH & 50' WEST FROM THE SOUTHEAST CORNER OF SECTION 36.

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4010-01

CLAIM OF BENEFICIAL USE AND FINAL PROOF MAP

FOR
 CRISS DUNCAN
 T40S, R11E, SEC.6,WM; T41S, R11E, SEC.1,WM
 KLAMATH COUNTY, OREGON
 PERMIT G-15405
 APPLICATION G-15495

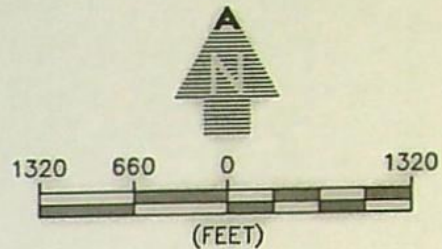
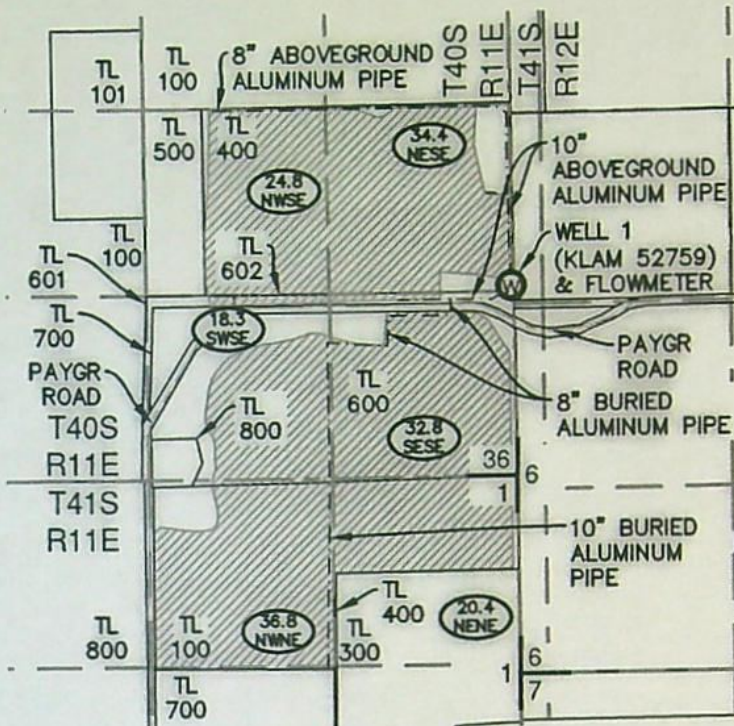
3/17/2023

ATTACHMENT C
Claim of Beneficial Use Map (paper copy)

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LEGEND

- TOWNSHIP LINE
- RANGE LINE
- SECTION LINE
- 1/4 1/4 LINE
- TAX LOT LINE
- MAINLINE PIPE
- ROAD
- $\frac{36}{1}6$ SECTION CORNER
- TL 0000 TAX LOT NUMBER
- W WELL
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4010-01

CLAIM OF BENEFICIAL USE AND FINAL PROOF MAP

FOR
 CRISS DUNCAN
 T40S, R11E, SEC.6,WM;T41S, R11E, SEC.1,WM
 KLAMATH COUNTY, OREGON
 PERMIT G-15405
 APPLICATION G-15495

ATTACHMENT D
Theoretical Pump Capacity and Sprinkler
Calculations

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Pump Capacity Calculation Sheet

using Department designed formula:

Date: 2/23/2023

Well #1

$$(\text{hp})(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

Data Entry (fill in underlined blanks)

HP = 150
Efficiency = 7.04
Lift = 133
PSI = 60

Results Calculated

(hp)(efficiency) = 1056
Head based on psi = 152.4
Total dynamic head = 285.4
(head + lift)

Pump Capacity = 3.70 cubic feet per second

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Sprinkler Capacity Calculator

Date: 2/24/2023

Data Entry (fill in underlined blanks)

Sprinkler group 1 Nozzle size = 3/16 inch
 Pressure = 60 PSI
 Number of heads = 99

Sprinkler group 2 Nozzle size = 3/16 inch
 Pressure = 60 PSI
 Number of heads = 171

Results calculated

Sprinkler group 1 capacity = 772.2 gpm, or 1.72 cfs
Sprinkler group 2 capacity = 1333.8 gpm, or 2.97 cfs

Total sprinkler capacity = 2106 gpm, or 4.69 cfs

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ATTACHMENT E
Well Log KLAM 52759

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STATE OF OREGON JUN 22 2001

WATER SUPPLY WELL REPORT

(As required by ORS 937.745)

Instructions for completing WATER RESOURCES DEPT. Form 52759

Klam 52759

WELL ID. # L32550
START CARD # 139992

(1) LAND OWNER: Name JoAnne Wallenhorst
Address 17023 Co. Rd. 853
City Espartero, CA Zip 95627

(2) TYPE OF WORK: New Well Deepening Alteration (repair/maintenance) Abandonment

(3) DRILL METHOD: Rotary Air Rotary Mud Cable Auger Other

(4) PROPOSED USE: Domestic Community Industrial Irrigation Thermal Injection Livestock Other

(5) BORE HOLE CONSTRUCTION: Special Construction approval Yes No Depth of Completed Well 314 ft.
Explosives used Yes No Type _____ Amount _____

BORE HOLE			SEAL		
Diameter	From	To	Material	From	To
20	0	74	Bent cement	0	30
				30	74
16	74	205			
12	205	314			

How was seal placed: Method A B C D E Other

Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From	To	Comp	Steel	Plastic	Welded	Threaded
16	41	74	250	75	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Drive shoe used Inside Outside None
Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS:

From	To	Slot size	Number	Material	Tube/pipe size	Casing	liner
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Baller Air Flowing Artesian
Yield 2150 gal/min Drawdown 68' Drill stem at _____ Time 1 hr.

Temperature of water 66° Depth Artesian Flow Found _____
Was a water analysis done? No Yes By whom _____
Did any strata contain water not suitable for intended use? No Too little Salty Muddy Odor Colored Other _____
Depth of strata: _____

(9) LOCATION OF WELL by legal description:
County Klamath Latitude _____ Longitude _____
Township 40S N or S Range 11E E or W. WM. _____
Section 35 SE 1/4 NE 1/4 _____
Tax Lot 400 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) 26112 PEVGE WAY

(10) STATIC WATER LEVEL: 94 ft. below land surface. Date 6/8/01
Artesian pressure _____ lb. per square inch Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found _____

From	To	Estimated Flow Rate	SWL
123	314	1500	94

(12) WELL LOG:

Ground Elevation _____

Material	From	To	SWL
/Topsoil	0	2 1/2	
Brn clay & sand	2 1/2	6	
Brn & red lava & cinders	6	27	
Brn lava	27	33	
Gray basalt	33	38	
Decomp. gray lava	38	69	
Gray basalt	69	92	
Brn sandstone	92	123	
Gray broken basalt	123	240	94
Brn and gray lava	240	260	
Brn lava	260	270	
Gray broken basalt	270	314	

Date started 5/18/01 Completed 6/8/01
(unbonded) Water Well Constructor Certification
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.
WWC Number _____
Signed _____ Date _____

(bonded) Water Well Constructor Certification
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
WWC Number 13259
Signed Larry A. Olson Date 6/21/01

ATTACHMENT F
Klamath County Tax Maps 40-11-36 & 41-11-1

RECEIVED

APR 25 2023

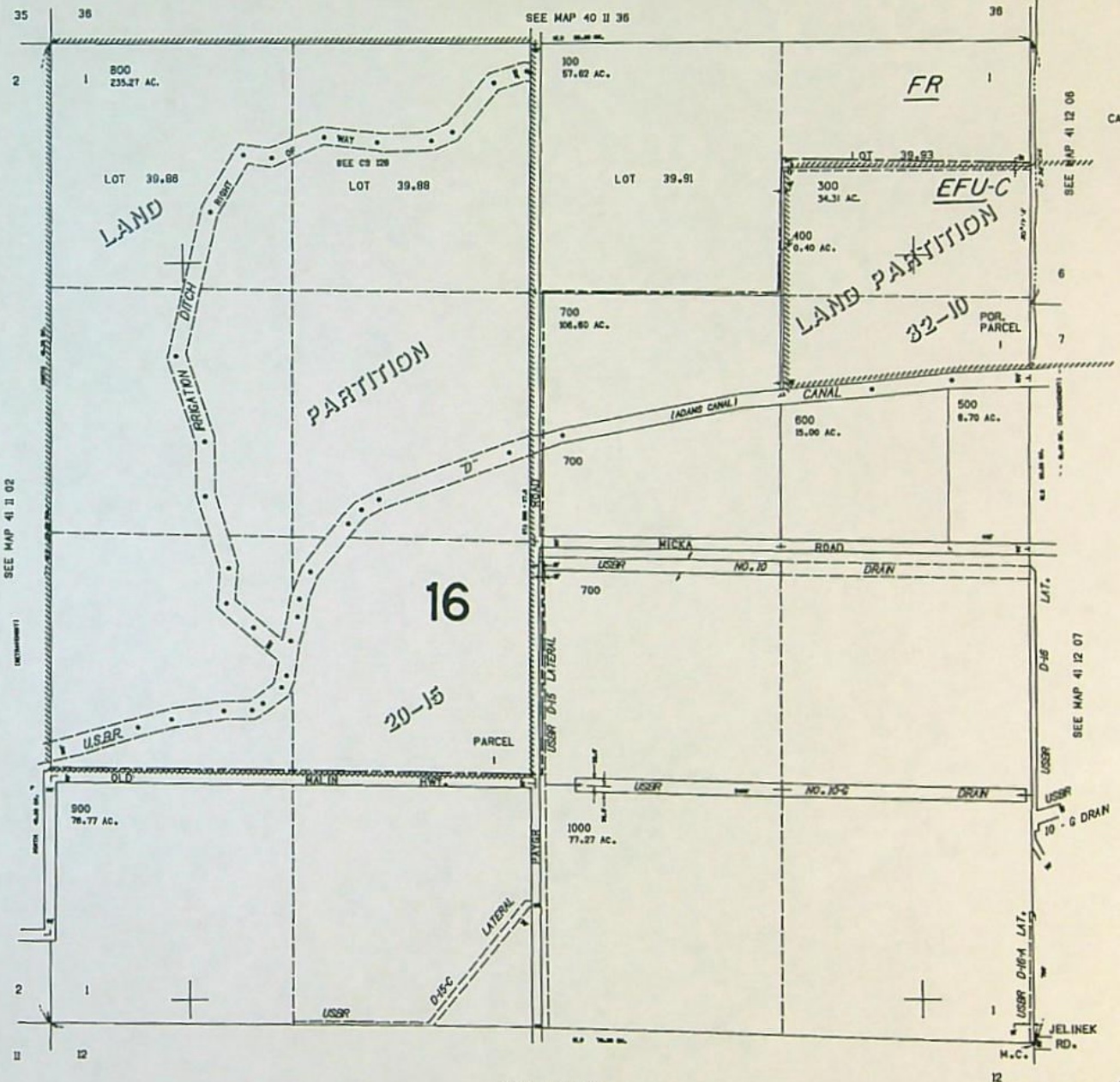
OWRD

REVISED 05-17-2016
THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

SECTION 01 T.41S. R.11E. W.M.
KLAMATH COUNTY

1"=400'

41 11 01



CANCELLED NO.
200

RECEIVED
APR 25 2023
OWRD

SEE MAP 41 11 12

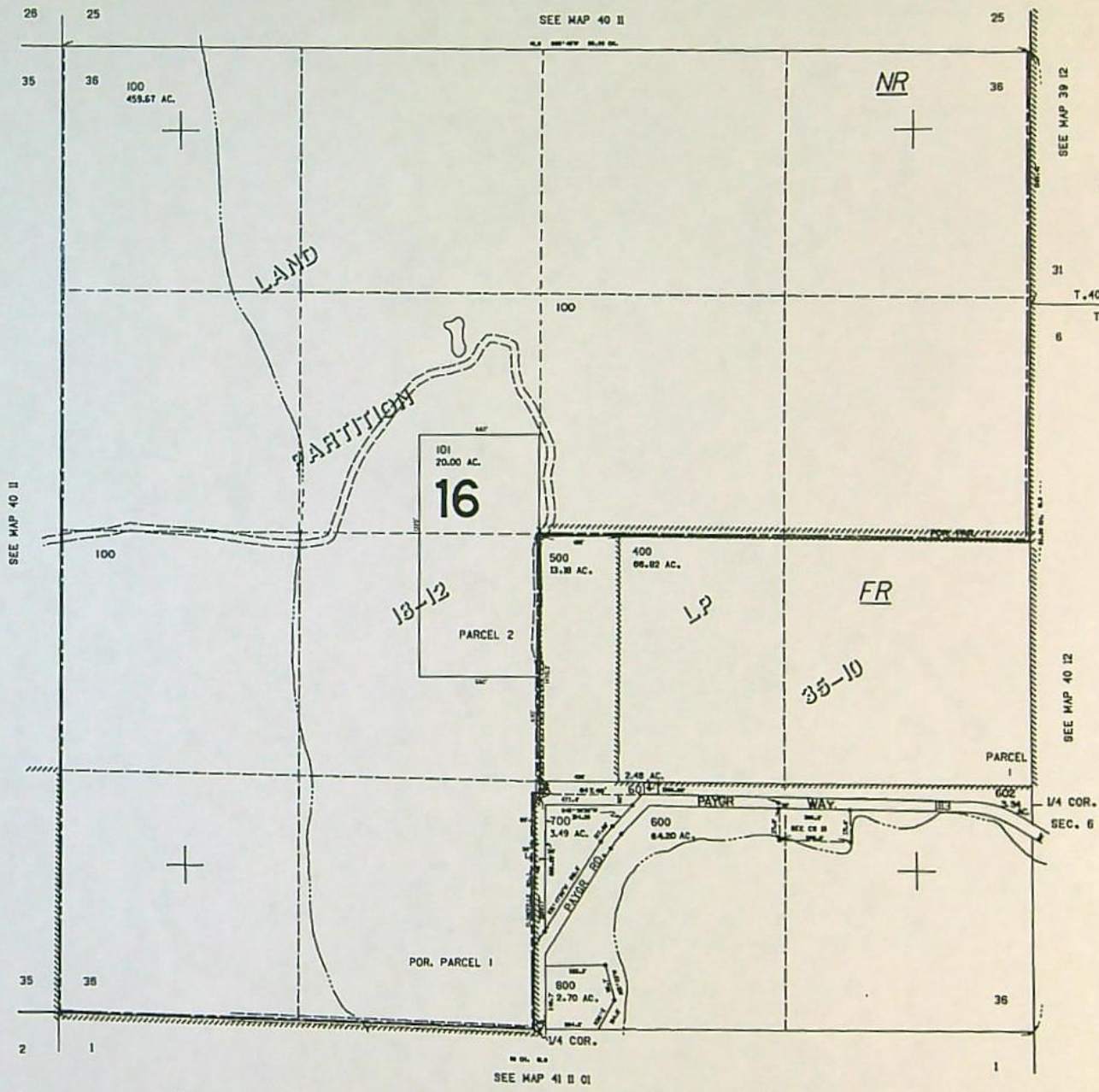
41 11 01

734,000

REVISED 03-26-13
THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

SECTION 36 T.40S. R.11E. W.M.
KLAMATH COUNTY
1"=400'

40 11 36



CANCELLED NO'S
200
300

RECEIVED
APR 25 2023
OWRD

734,000

40 11 36

**REIMBURSEMENT AUTHORITY PERMIT
APPLICATION G-15495 PERMIT G-15405**

CERTIFICATE 97571 issued 1-26-2024

CRISS DUNCAN

Completion Checklist for Claims of Beneficial Use for

POST JULY 1, 2004 Claims

PROP COST
- fewer acres
- lower rate

Application # <u>G-15495 / G-15405</u>	WRD Reviewer <u>Kerry Kavanagh</u>
Transfer #	Claim Logged <u>YES</u>
Date Received <u>4-25-2023</u>	Oversized Map # <u>MA</u>
CWRE Name <u>Daniel Scalas</u>	

Map Review:

- Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- Application & permit #; or transfer # (OAR 690-014-0100(1))
- Disclaimer (OAR 690-014-0170(5))
- North arrow (OAR 690-310-0050(2)(c))
- CWRE stamp and signature (OAR 690-014 & 310-0050)
- Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- Township, range, section, and tax lot numbers (OAR 690-310-0050(4))
- Source illustrated if surface water (OAR 690-014-0170(3))
- Point(s) of diversion or appropriation (illustrated) (OAR 690-014(4) & 690-310-0050)
- Point(s) of diversion or appropriation (coordinates) (OAR 690-014(4) & 690-310-0050)
- Conveyance structures illustrated (pump, pipelines, ditches, etc.) (OAR 690-310-0050)
- Description of the location, in relation to the point of diversion or appropriation, of any fish screens, by-pass devices, and measuring devices required (OAR 690-014-0170(4))
- Place of use (1/4 1/4, or projected 1/4 1/4 lines within DLCs, or Gov Lots; if irrigation, # of acres in each subdivision; if for domestic or human consumption, location of dwelling or spigot) (OAR 690-310-0050, 690-014, 690-380-6010)

Permit G-15405 issued 5-1-2003
C Date = 10-1-2007
2.15 cfs from well for 15 of 172.2 ac

Report Review:

- On form or format provided by the Department (OAR 690-014-0100(1))
- Application & permit #; or transfer # (OAR 690-014)
- Ownership information (OAR 690-014)
- Date of survey (OAR 690-014)
- Person interviewed (OAR 690-014)
- County (OAR 690-014) KLAMATH
- Description of conveyances system (from POD to POU) (OAR 690-014-0100)
- Source(s) of water (OAR 690-014-0100)
- Place of use location (OAR 690-014-0100)
- Type of use (OAR 690-014-0100)
- Extent of use (OAR 690-014-0100)
- Rate and Duty (OAR 690-014-0100)
- Diversion rate for each use (OAR 690-014-0100)
- Diversion works description (pump make, serial model, capacity, and description) (OAR 690-014-0100)
- System capacity (OAR 690-014-0100)
- Calculated capacity of system (required)
- Measured amount of use (optional)
- Permit/Transfer Final Order Conditions (OAR 690-014-0100)
 - Time limits CWRE - 5-1-2003 date accomplished
 - Initial water level measurements
 - Annual static water level measurements
 - Measurement, recording, and reporting
 - Meter/measuring device
 - Water use reporting
 - Fish screening and/or by-pass
 - Pump test (ground water)
 - Other

CWRE - well 1 (KLAM 52759) - 3.70 cfs for 15 of 167.5 ac
C Date claimed = 5-1-2003

Limit to 2.09 cfs for 15 of 167.5 ac

well drilled 6/8/2001
Permit G-15405 issued 5/1/2003
1st SWL post permit issuance = 4/14/2010
1st March SWL thereafter = 3/22/2011

MA 8 cons. SWL measured
cons. max SWL = 107.94 ft bgs
PT approved by Graysen Fish on 9-5-2023

MA Conditions from Extension Final Order and/or Water Management Conservation Plan

- CWRE stamp and signature (OAR 690-014-0100)
- Signature(s) of permittee of transfer holder (OAR 690-014-0100)

DEF = deficient
N/A = Not Applicable

App 9-15495

PROP UGPT
- fewer acres
- lower rate
(@ 1/80 cts/ac)

Certificate Issuance Processing Checklist

Map and COBU reviewed
 Conflict check Any Conflicts? no - claim KA 1000 in interests
 Check for ownership

Check Area of Interest YES NO
Identified Party X Klamm ID

Staff Recommendations:

Proof to the Satisfaction has been established to the full extent as described in the permit or transfer order.

Proof to the Satisfaction has been not been established to the full extent as described in the permit or transfer order and the right should be limited as follows: fewer acres - 167.5 ac

Proof to the Satisfaction has not been established for the following reasons: Limit 2 = 2.09 cts

Proposed Actions:
Send letter requesting the following items/information: _____
Send letter recommending extension to cure deficiencies: _____

$$167.5 \text{ ac} \times 1/80 \text{ cts/ac} = 2.09 \text{ cts}$$

Can certificate be processed further?
 Yes

If "Yes":
 Proposed
 Final
Certificate # _____

Mailing list:

Proposed:

Final:

Permit holders of record:
CNS Duncan & William Bonner Revocable Living Trust

Application G-15495:

Pump Capacity Calculation Sheet App G-15495, Permit G-15405
using Department designed formula: one well - Well KLAM52759

$$(hp)(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

Data Entry (fill in underlined blanks)

HP = 150
Efficiency = 7.04
Lift = 198
PSI = 60

Results Calculated

(hp)(efficiency) = 1056
Head based on psi = 152.4
Total dynamic head = 350.4
(head + lift)

Pump Capacity = 3.01 feet per second

per COBU - CWRE used lift = 133.0 feet (lift from source to pump) → 3.70 cfs
- didn't include 65.0 feet (lift from pump to POU)

Application # G-15495

Permit # G-15405 Transfer #

Criss Duncan

~~23~~
23

**Reimbursement Authority Process
Itemized FINAL Sheet
for
Certificates**

	New Est. Time (hr)	Multiplie r	Total Est Hours	Individual	New Hourly Rate	New Est. Cost	Date/Act. Time
1. Review Claim of Beneficial Use report & map	2.25	31%	2.95	Kerry	\$74.63	\$ 219.97	
2. Conflict Check	0.50	31%	0.66	Kerry	\$74.63	\$ 48.88	
3. Prep of def. letter - contingency time	0.00	31%	0.00	Kerry	\$74.44	\$ -	
4. Enter pump test data -	0.00	31%	0.00	Kerry	\$74.44	\$ -	
5. Prep of 1 cert - 1 well	5.00	31%	6.55	Kerry	\$74.63	\$ 488.83	
6a. Peer review - consultation	0.00		0.00	Gerry	\$73.90	\$ -	
6b. Peer review	0.30		0.30	Dwight	\$105.74	\$ 31.72	
6c. Peer review	0.60	26%	0.76	Gerry	\$73.90	\$ 55.87	
7. Project Management -	2.00	31%	2.62	Kerry	\$74.44	\$ 195.03	
7. Project Management -	2.00	31%	2.62	Kerry	\$74.63	\$ 195.53	
7. Project Management -	2.25	31%	2.95	Kerry	\$74.82	\$ 220.53	
8a. Water right data record update	0.75	31%	0.98	Support- Kyler	\$30.85	\$ 30.31	
8b. Water right data record update	0.75		0.75	Data Tech- Sheila	\$54.67	\$ 41.00	
9. NEED - per GWIS pump test db, unreason. burden exemp req rec'd 3/2/2023 for 2 wells.	1.75		1.75	Grayson Fish	\$71.93	\$ 125.88	
Total	18.15		22.88		Sub Total	\$1,654	
					10% Overhead	\$165.36	
					TOTAL	\$1,819	

\$9 over (estimated cost = \$1810) - no refund

Permit G-15405 issued 5-1-2003. C Date = 10-1-2007.

2.15 cfs from one well for IS of 172.2 acres

-- install meter or OSMD

-- record & report

-- initial & annual March SWL measurements

-- 1st annual March SWL establish reference level

-- special adjudication of claims in the Klamath Basin condition

Extension applied 7-28-2022. FO approved 12-16-2022. extended C Date = 10-1-2014. -- no add'l conditions

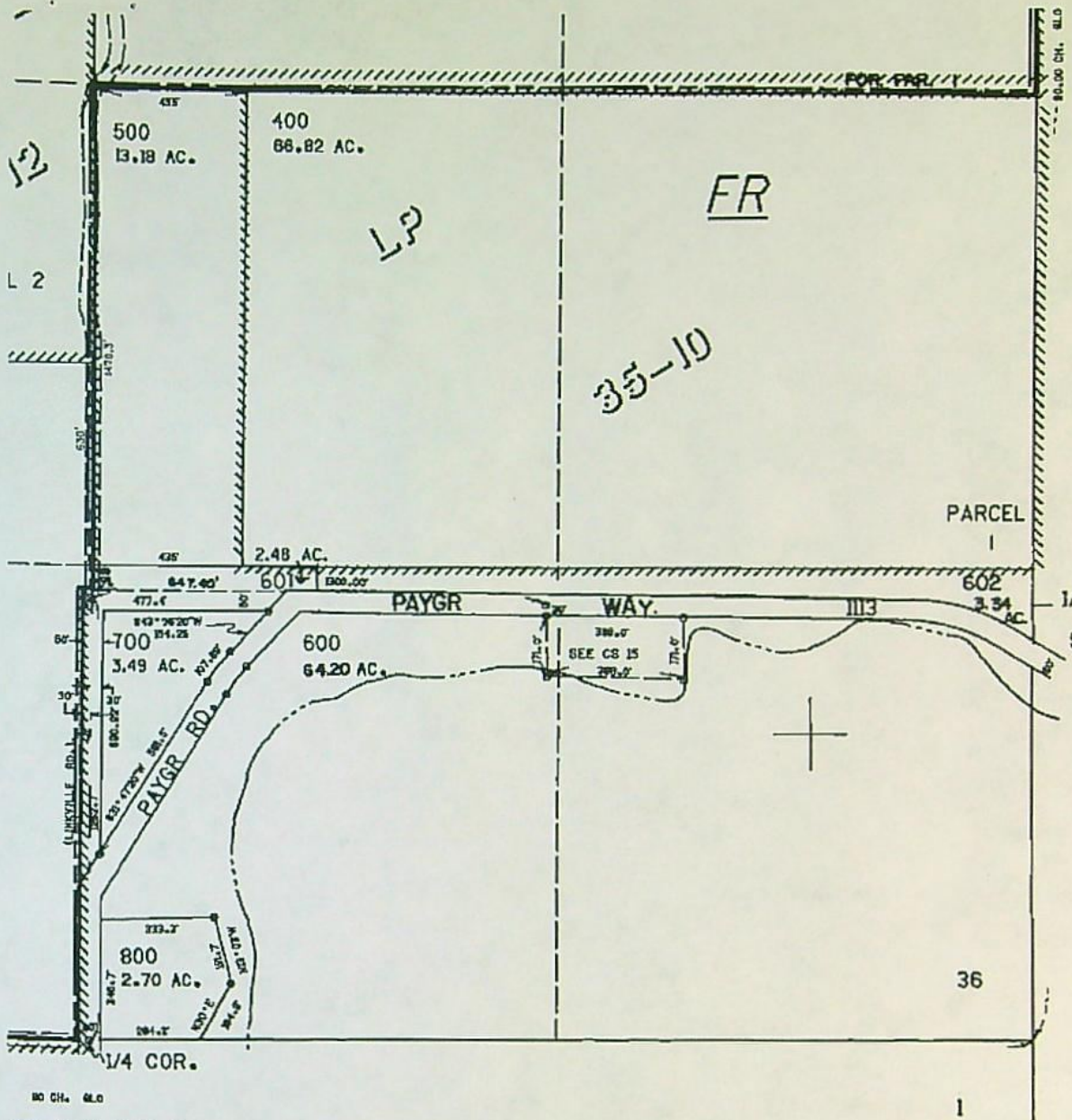
4-21-2022 Portion Assigned from Joann Wallenhorst-Russ-Rudolph Paygr to William Bowman Rev. Living Trust

6-27-2022 Portion Assigned from Joann Wallenhorst etal to Criss Duncan - wr in name of Criss Duncan & William Bowman Rev. Living

COBU - claimed KLAM 52759 - 3.70 cfs developed for IS of 167.5 acres (permit authorized 2.15 cfs for IS of 172.2 acres)

NEED: pump test for Well 1 (KLAM 52759)

Application G-5495: Ownership per KLAMATH County: 40 11 36 00400, 40 11 36 00600, 40 11 36 00602:



Klamath
County
Oregon

Search

Search History

Property Search Online

Account 105175 [Assessment Summary](#)

[Account](#) [Taxes](#) [Sales History](#) [Value History](#) [Reports](#) [Files](#)

[Real Property](#)
Situs Address

Map and Taxlot
4011-03600-00400

Mailing Address
DUNCAN CRISS
PO BOX 64
MALIN OR 97632


Owner
DUNCAN CRISS

Klamath
County
Oregon


Q Search

☰ Search History ▾

Property Search Online

Account 601851  Assessment Summary

Account Taxes Sales History Value History Reports Files

 Real Property

Situs Address

26112 PAYGR RD MALIN OR 97632

Mailing Address

BOWMAN WILLIAM B REVOCABLE LIVING TRUST
BOWMAN WILLIAM B TRUSTEE
26112 PAYGR RD
MALIN OR 97632

Map and Taxlot

4011-03600-00600

Owner


BOWMAN WILLIAM B REVOCABLE LIVING TRUST

Klamath
County
Oregon


Q Search

☰ Search History ▾

Property Search Online

Account 872405  Assessment Summary

Account Taxes Sales History Value History Reports Files

 Real Property

Situs Address

Map and Taxlot

4011-03600-00602

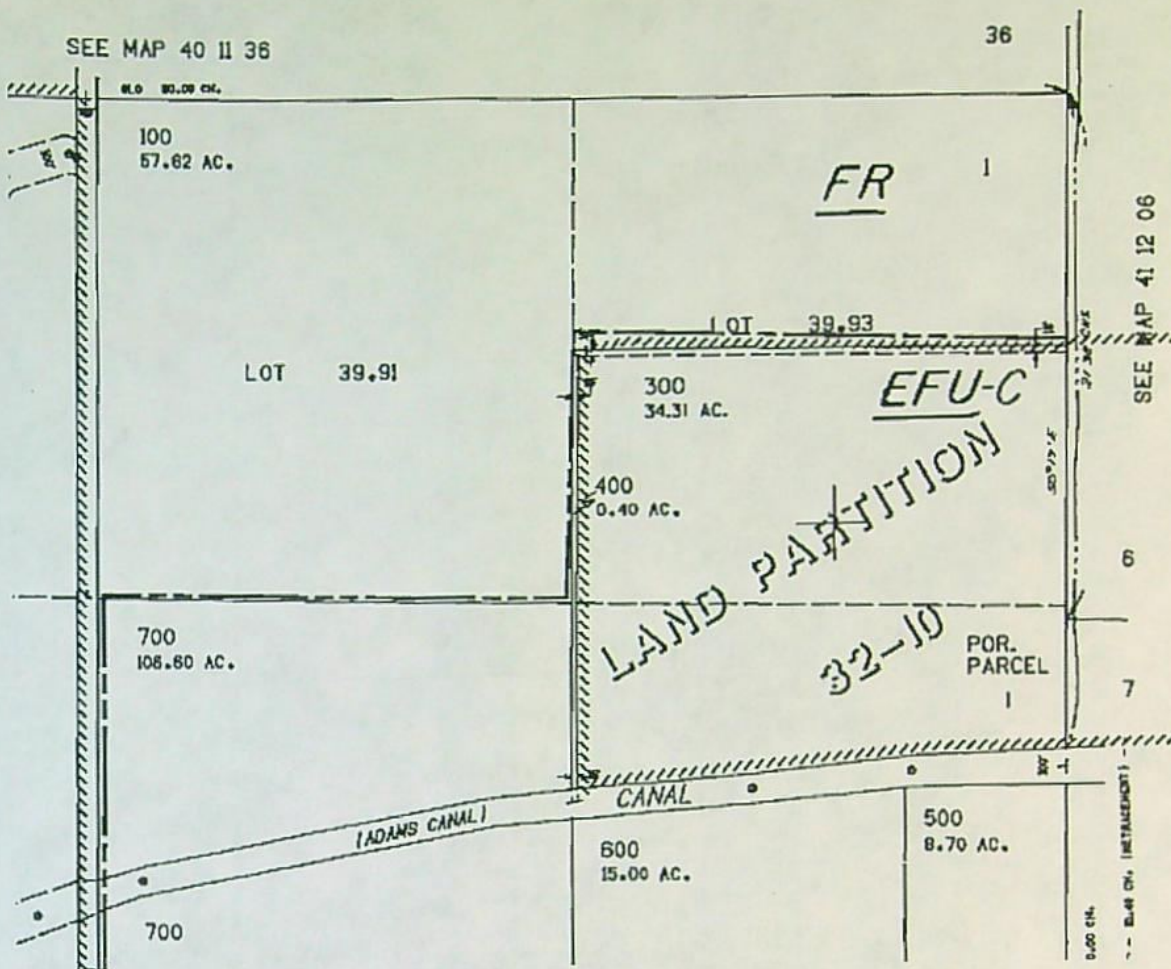
Mailing Address

CRISS DUNCAN
PO BOX 64
MALIN OR 97632

Owner

CRISS DUNCAN

Application G-5495: Ownership per KLAMATH County: 41 11 301 00 100:



Klamath
County
Oregon

Search

Search History

Property Search Online

Account 105193 [Assessment Summary](#)

[Account](#) [Taxes](#) [Sales History](#) [Value History](#) [Reports](#) [Files](#)

Real Property
Situs Address

Map and Taxlot
4111-00100-00100

Mailing Address

BOWMAN WILLIAM B REVOCABLE LIVING TRUST
BOWMAN WILLIAM B TRUSTEE
26112 PAYGR RD
MALIN OR 97632

Owner

BOWMAN WILLIAM B REVOCABLE LIVING TRUST

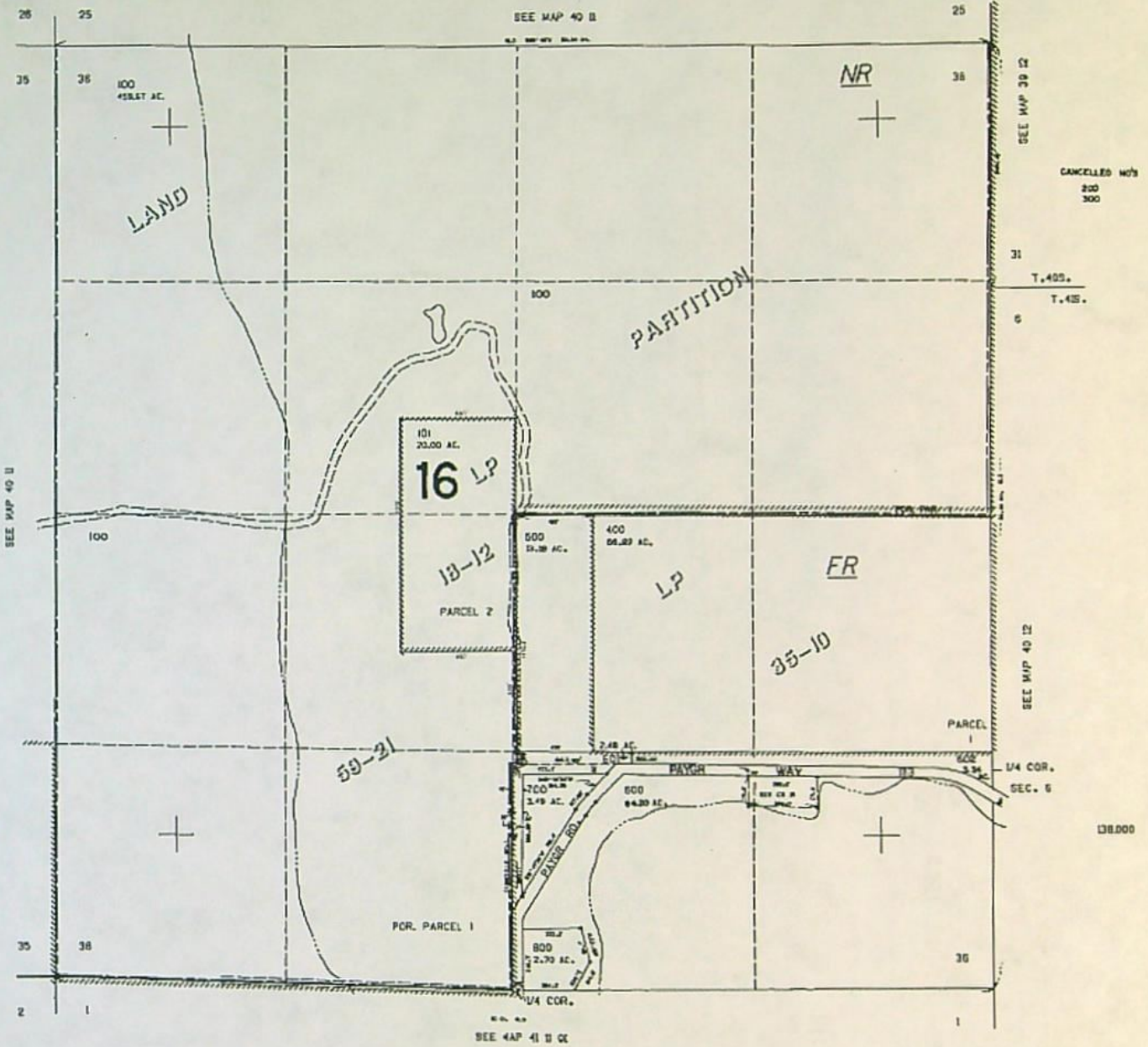
REVISED 08-11-2022

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

SECTION 36 T.40S. R.11E. W.M. KLAMATH COUNTY

40 11 36

1" = 400'



734,000

40 11 36

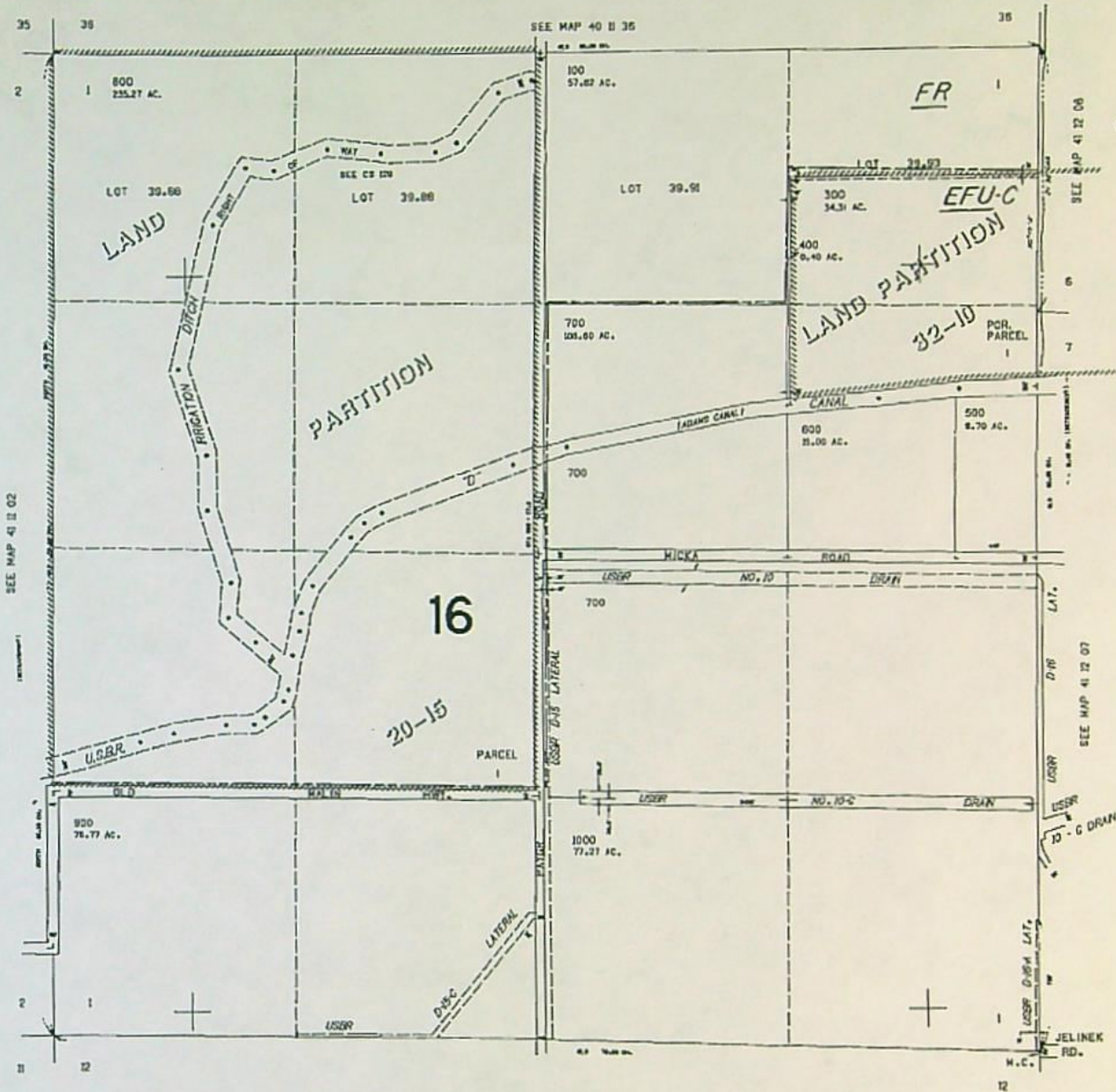
REVISED 05-17-2016

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

SECTION 01 T.41S. R.11E. W.M. KLAMATH COUNTY

T-400

41 11 01



CANCELLED NO. 200

SEE MAP 41 12 07

132000

41 11 01

SEE MAP 41 11 02

SEE MAP 41 11 12

14,000



Search Criteria

Meridian:
 Township:
 Range:
 Section:
 Records per Page:

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Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160)	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown QQ
Select Cert:48022 OR * <i>Additional Info:</i> RAJNUS BROTHERS App: G5377 Permit: G5310 Cert: 48022		3/22/1971	IRRIGATION							25	10.6			18.4	17.8	24.6	33.2	32.4						
Select Cert:74458 OR * <i>Additional Info:</i> DONALD RAJNUS App: G12810 Permit: G11664 Cert: 74458	T13722, T13987	3/6/1992	IRRIGATION					16.26																
Select Claim:KA 1000 * <i>Additional Info:</i> DON BUFFINGTON Claim: KA1000	T11663, T11853, T12105	5/19/1905	IRRIGATION							0.9	1.3									37.4	24.7	19.6	35.8	
Select Permit: G 13940 EX <i>Additional Info:</i> RUDOLPH PAYGR App: G15381 Permit: G13940		5/10/2001	SUPPLEMENTAL EX IRRIGATION (Supplmtl)																	-37.8	-24.0	-18.3	-34	
Select Permit: G 13956 EX <i>Additional Info:</i> GARY RENNE App: G15394 Permit: G13956		5/17/2001	SUPPLEMENTAL EX IRRIGATION (Supplmtl)																					-20
Select Permit: G 15405 * <i>Additional Info:</i> WILLIAM BOWMAN REVOCABLE LIVING TRUST App: G15495 Permit: G15405	T12942	5/10/2001	SUPPLEMENTAL IRRIGATION (Supplmtl)																	37.9	24.8	18.3	34	

Acreage Legend: 12.25 Regular acreage
 -12.25 Acreage is on a canceled right
 (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate)
 [12.25] Acreage has been suspended
 * Acreage is not specified



Search Criteria

Meridian:

Township:

Range:

Section:

Records per Page:

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Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	OO(40) Q(100)	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unknown
								NE	NE	NE	NE	NW	NW	NW	NW	SW	SW	SW	SW	SE	SE	SE	SE	OO
Select Permit: G 15759 *		2/9/2004	AGRICULTURE USES																					
Additional Info: JAMES HALPENNY App: G16183 Permit: G15759																								
Select App: G 15043 DN		10/4/1999	IRRIGATION (Suppl'mtl)	DN				38.2	38.8	21.1	15.2	26.9	4.2	13.6	33.4	1.2	2.0							
Additional Info: SHASTA VIEW IRRIGATION DISTRICT App: G15043																								
Select Claim: KA 1000 *	T11883, T11853, T12105	5/19/1905	IRRIGATION					41	35.9	34.9	37.8	24.7	4.7	19.4	37.6	38.4	14.8	34.7	38.6	37.6	35.8	38.5	40.9	
Additional Info: DON BUFFINGTON Claim: KA1000																								
Select Permit: G 13940 EX		5/10/2001	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	EX				20.4	36.8															
Additional Info: RUDOLPH PAYGR App: G15381 Permit: G13940																								
Select Permit: G 13946 EX		5/17/2001	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	EX					20	36.4										37.3	36.4			
Additional Info: ROBERT GARY DERRY App: G15390 Permit: G13946																								
Select Permit: G 13956 EX		5/17/2001	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	EX				14																
Additional Info: GARY RENNE App: G15394 Permit: G13956																								
Select Permit: G 13973 EX		5/24/2001	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	EX							8.7													
Additional Info: KIRK KIRKPATRICK App: G15407 Permit: G13973																								

1 2 3 4 5

Acreage Legend: 12.25 Regular acreage

~~12.25~~ Acreage is on a canceled right

(12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate)

[12.25] Acreage has been suspended

* Acreage is not specified



Search Criteria

Meridian: Willamette

Township: 41 South

Range: 11 East

Section: 1

Records per Page: 7

Search

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Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	00(40) 0(100)	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown QQ
Select Permit: G 15405 * <u>Additional Info:</u> WILLIAM BOWMAN REVOCABLE LIVING TRUST App: G15495 Permit: G15405	T12942	5/10/2001	SUPPLEMENTAL IRRIGATION (Suppl'mtl)					20.4	30.8															
Select Permit: G 15407 CN <u>Additional Info:</u> CORY TURNER App: G15550 Permit: G15407	T11697	6/28/2001	SUPPLEMENTAL CN IRRIGATION (Suppl'mtl)								-7.0													
Select Permit: G 15465 EX <u>Additional Info:</u> JOHN MCPHERSON App: G16041 Permit: G15465		7/1/2003	SUPPLEMENTAL EX IRRIGATION (Suppl'mtl)					-0.00	-0.00	-0.00	-0.00	-0.00	-0.00	-0.00	-0.00	-0.00	-0.00	-0.00	-0.00	-0.00	-0.00	-0.00	-0.00	
Select Permit: G 15759 * <u>Additional Info:</u> JAMES HALPENNY App: G16183 Permit: G15759		2/9/2004	SUPPLEMENTAL IRRIGATION (Suppl'mtl)														38	38						
Select Permit: G 15915 EX <u>Additional Info:</u> JASON CAMERON App: G16443 Permit: G15915		4/20/2005	SUPPLEMENTAL EX IRRIGATION (Suppl'mtl)					-20.620			-20.620													
Select Permit: G 15910 EX <u>Additional Info:</u> JASON CAMERON App: G16443 Permit: G15910		4/20/2005	SUPPLEMENTAL EX IRRIGATION (Suppl'mtl)					-20.63			-20.63													
Select Permit: G 16209 CN <u>Additional Info:</u> KLAMATH BASIN IMPROVEMENT DISTRICT App: G16030 Permit: G16209	T13758	6/4/2003	SUPPLEMENTAL CN IRRIGATION (Suppl'mtl)											-2			-0.8							

1 2 3 4 5

Acreage Legend: 12.25 Regular acreage -12.25- Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) [12.25] Acreage has been suspended * Acreage is not specified



Search Criteria

Meridian:

Township:

Range:

Section:

Records per Page:

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Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	OO(#): Q(100)	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown OO
Select Permit: G 16693 EX <u>Additional Info:</u> CORY TURNER App: G17331 Permit: G16693		3/28/2010	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	EX						36	24	30	10	25	35					30	30	30	30	
Select Permit: G 16737 EX <u>Additional Info:</u> SHASTA VIEW IRRIGATION DISTRICT App: G17353 Permit: G16737		4/15/2010	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	EX				38.2	38.8	21.4	15.2	26.9	4.2	13.5	33.4	4.2	2.0							
Select Permit: G 17052 EX <u>Additional Info:</u> CORY TURNER App: G17066 Permit: G17052		5/3/2013	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	EX						34.0	9.7									35.53	35.53			
Select Permit: G 17191 EX <u>Additional Info:</u> CORY TURNER App: G17779 Permit: G17191		3/3/2014	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	EX							8.7													
Select Permit: G 17238 EX <u>Additional Info:</u> SHASTA VIEW IRRIGATION DISTRICT App: G17780 Permit: G17238		3/3/2014	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	EX				38.2	35.9	20.9	14.9	24.7	4.2	11.8	33.4	0.9	2.0							
Select Permit: G 17123 CN <u>Additional Info:</u> App: G15550 Permit: G17123		6/28/2001	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	CN						35.50	7.9									35.50	35.50			
Select Permit: G 17251 * <u>Additional Info:</u> CORY TURNER App: G15550 Permit: G17251		6/28/2001	SUPPLEMENTAL IRRIGATION (Suppl'mtl)							35.50	7.9									35.50	35.50			

12345

Acreage Legend: 12.25 Regular acreage

~~12.25~~ Acreage is on a canceled right

(12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate)

[12.25] Acreage has been suspended

* Acreage is not specified



Search Criteria

Meridian:

Township:

Range:

Section:

Records per Page:

Platcards Maps!
[Learn about](#) [View Map](#)

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QA(40) Q(100)	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown QQ
Select Permit: G 17401 EX <u>Additional Info:</u> CORY TURNER App: G18048 Permit: G17401		4/13/2015	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	EX							-8.7													
Select Permit: G 17399 EX <u>Additional Info:</u> SHASTA VIEW IRRIGATION DISTRICT App: G18044 Permit: G17399		4/13/2015	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	EX				-38.2	-35.9	-21.1	-15.2	-24.7	-4.2	-13.6	-33.4	-4.2	-2.6							
Select Permit: G 17433 EX <u>Additional Info:</u> App: G18078 Permit: G17433		5/1/2015	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	EX										-8			-8							
Select Permit: G 18011 EX <u>Additional Info:</u> CORY TURNER App: G18627 Permit: G18011		3/21/2018	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	EX							-45						-25							
Select Permit: G 18048 EX <u>Additional Info:</u> JESSE HICKEY App: G18688 Permit: G18048		5/3/2018	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	EX								-24.7	-4.7	-10	-38	-38	-2.8							
Select Permit: G 18406 EX <u>Additional Info:</u> JIM CARLETON App: G18933 Permit: G18406		3/19/2020	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	EX								-24.7	-4.7	-10	-38	-38	-2.8							
Select Permit: G 18421 EX <u>Additional Info:</u> CORY TURNER App: G18953 Permit: G18421		4/2/2020	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	EX								-45												

1 2 3 4 5

Acreage Legend: 12.25 Regular acreage

-42.25- Acreage is on a canceled right

(12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate)

[12.25] Acreage has been suspended

* Acreage is not specified



Search Criteria

Meridian:

Township:

Range:

Section:

Records per Page:

Platcards Maps!
[Learn about](#) [View Map](#)

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	OO(48) Q(100)	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown QQ	
Select Permit: G 18437 EX <u>Additional Info:</u> SHASTA VIEW IRRIGATION DISTRICT App: G18970 Permit: G18437		5/4/2020	SUPPLEMENTAL EX IRRIGATION (Suppl'mtl)					-38.2	-36.9	-21.4	-46.2	-24.7	-4.2	-13.6	-33.4	-1.2	-2.6								
Select App: G 19024 DN <u>Additional Info:</u> DENIS HICKEY AND KELSEY HICKEY LLC App: G19024		9/21/2020	SUPPLEMENTAL DN IRRIGATION (Suppl'mtl)													-38									-86
Select Permit: G 18604 EX <u>Additional Info:</u> JESSE HICKEY App: G19077 Permit: G18604		4/1/2021	SUPPLEMENTAL EX IRRIGATION (Suppl'mtl)									-24.7	-4.7	-10	-38	-37.6	-2.8								
Select Permit: G 18619 EX <u>Additional Info:</u> CORY TURNER App: G19085 Permit: G18619		4/12/2021	SUPPLEMENTAL EX IRRIGATION (Suppl'mtl)									-46													
Select Permit: G 18622 EX <u>Additional Info:</u> SHASTA VIEW IRRIGATION DISTRICT App: G19098 Permit: G18622		4/12/2021	SUPPLEMENTAL EX IRRIGATION (Suppl'mtl)					-38.2	-36.9	-21.4	-46.2	-24.7	-4.2	-13.6	-33.4	-1.2	-2.6								
Select Cert:96045 OR * <u>Additional Info:</u> CORY TURNER App: G15327 Permit: G15424 Cert: 96045		2/21/2001	SUPPLEMENTAL IRRIGATION (Suppl'mtl)					20				11.7													
Select Permit: G 18797 * <u>Additional Info:</u> KLAMATH BASIN IMPROVEMENT DISTRICT App: G18030 Permit: G18797		6/4/2003	SUPPLEMENTAL IRRIGATION (Suppl'mtl)											2			9.8								

12345

Acreage Legend: 12.25 Regular acreage

-42.25- Acreage is on a canceled right

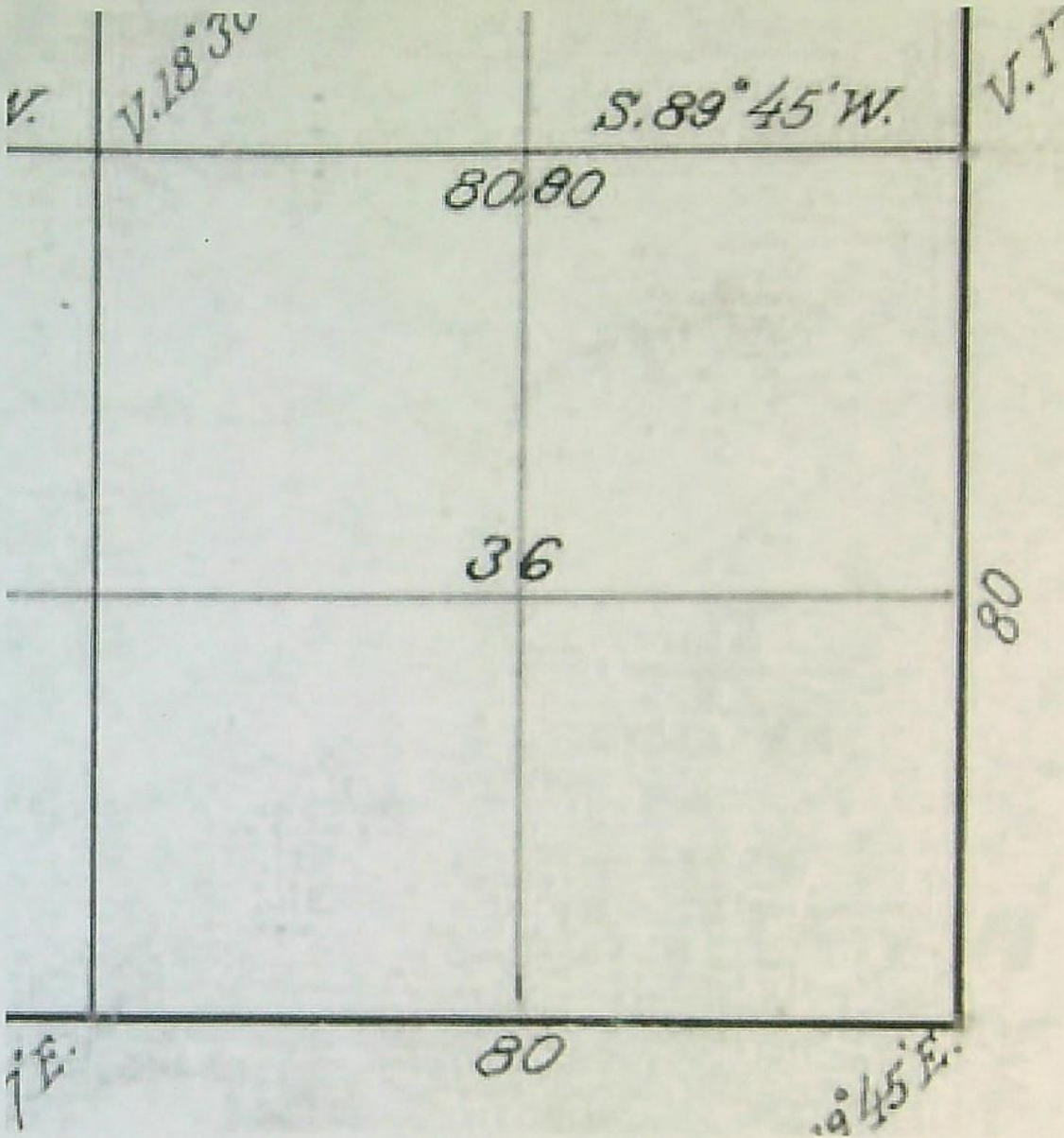
(12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate)

[12.25] Acreage has been suspended

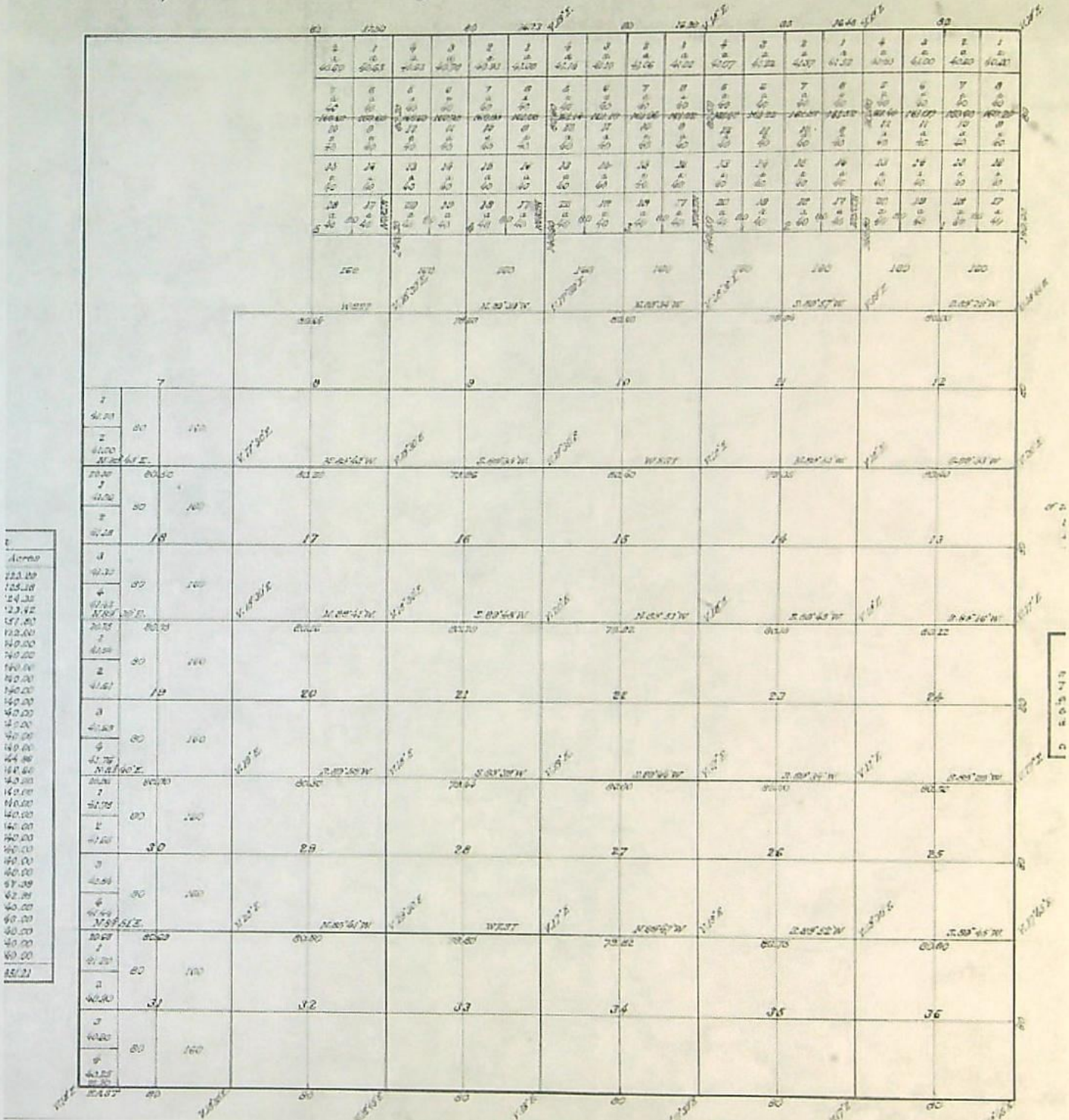
* Acreage is not specified

Application G-15495:

Portion Cadastral Survey T40S, R11E, W.M. – Section 36 – 1871-11-18:

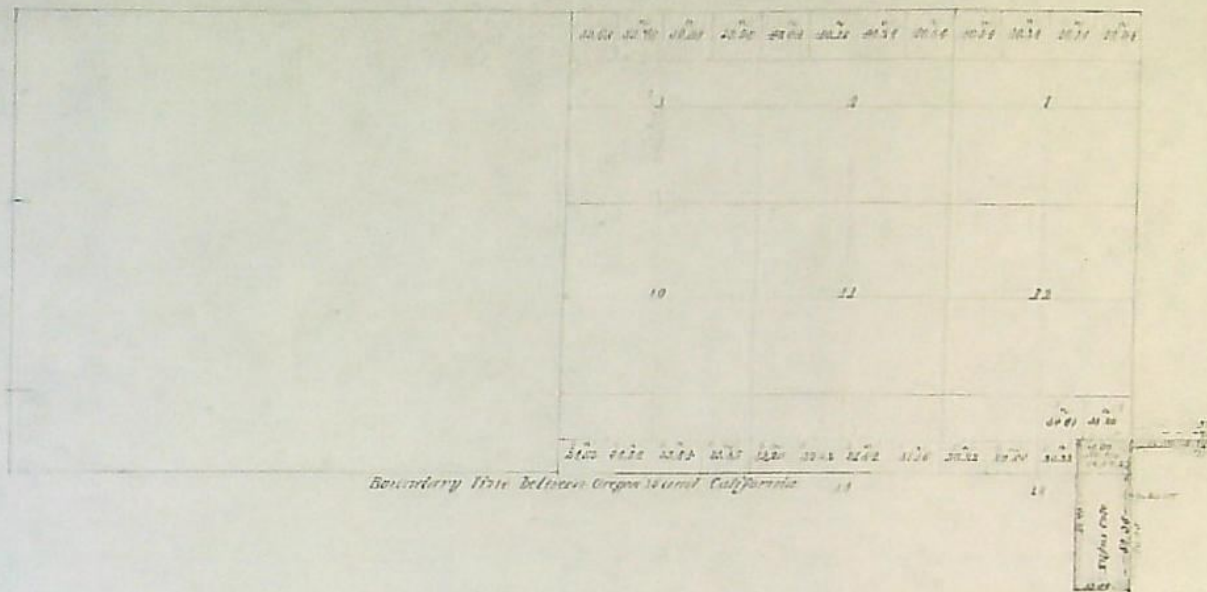


Township N^o 40 South, Range N^o 11 East of the Willamette Meridian, Oregon.



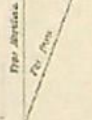
Township No. 11 South Range No. 1 East Willamette Meridian, Oregon.

1869



Boundary line between Oregon and California

See map of land in adjacent



See Section 10 of 1869

Contract	Amount forayed	Comment	Conclusion
----------	----------------	---------	------------

Application G-15495:

Oregon Water Resources Department
Water Rights Mapping Tool

Main Help
Return Contact Us

QWRD Only 7:55 Summer 5

Search

Search: Water Right by File

Application:

Permit:

Certificate:

Claim:

Transfer:

Snap ID:

POD Source: Equal

Irr. District:

(Draw box on map.)

Points of Diversion: (Count: 2)

Places of Use: (Count: 6)

Identify Non-Water Right Features

Tax Lots


Layers

Tools

POD POU Irrigation Districts AOI MCWC Planned POU

All Fields Search...

ID (select)	Organization	Website	Data Source
1 27	KLAMATH IRRIGATION DISTRICT	Website	Klamath Irrigation District September 2015



Klamath Irrigation District, 6640 KID Lane, Klamath Falls OR 97603

[Main](#) [Help](#)
[Return](#) [Contact Us](#)

OWRD Only

Search

Search: Water Right by File

Application: G 15495

Permit:

Certificate:

Claim:

Transfer:

Snap ID:

POD Source: Equal

Irr. District:

(Draw box on map.)

Points of Diversion (Count: 1)

Places of Use (Count: 1)

Identify Non-Water Right Features

Tax Lots

Layers

Tools

POD
POU
Irrigation Districts ADI
MCWC Planned POU

Search...

#	ID (select)	WRIS	Zoom	Water Right	Water Type	First Name	Last Name	Company	Use Desc.	Priority Date	Supp. Duty	Rate cfs	Rate cfs Est.	Max Rate cfs	Acre ft	Acre ft Est	Max Rate Acre ft	Stream Name
1	79837	Details	Map WB	Permit: G 15405 * IS	GW			WILLIAM BOIWMAN	SUPPLEMENTAL IRRIGATION	05/10/2001	Yes	3	2.15000	-	2.15000000			

KAVANAGH Kerry L * WRD

From: KAVANAGH Kerry L * WRD
Sent: Friday, May 12, 2023 9:43 AM
To: ccduncan71@gmail.com; dscalas@adkinsengineering.com
Cc: KAVANAGH Kerry L * WRD
Subject: Certificate RA Estimate R12954-23 for Criss Duncan involving Application G-15495 - need pump test
Attachments: RA contract_G-15495.pdf; estimate request_G-15495.pdf; estimate receipt_G-15495.pdf

Hello,

Please find the attached estimate and agreement to review the claim of beneficial use (Claim). If the proposed agreement is acceptable to you, please return a signed copy to our office along with the payment of the estimated cost to review the claim of beneficial use.

Based on cursory review of the Claim and Department records, I do not see receipt of a pump test or pump test exemption request for the claimed well (KLAM 52759). A pump test or pump test exemption must be submitted and approved by the Department's Groundwater Section staff prior to certificate issuance.

Please submit a pump test or pump test exemption request for the claimed well (KLAM 52759).

If you have any questions, please send me an email at kerry.l.kavanagh@water.oregon.gov.

Thanks,
Kerry

Kerry Kavanagh

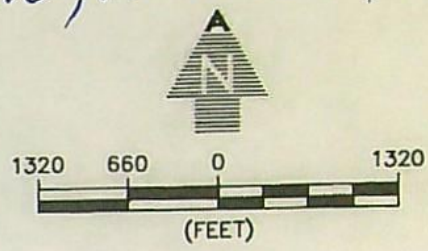
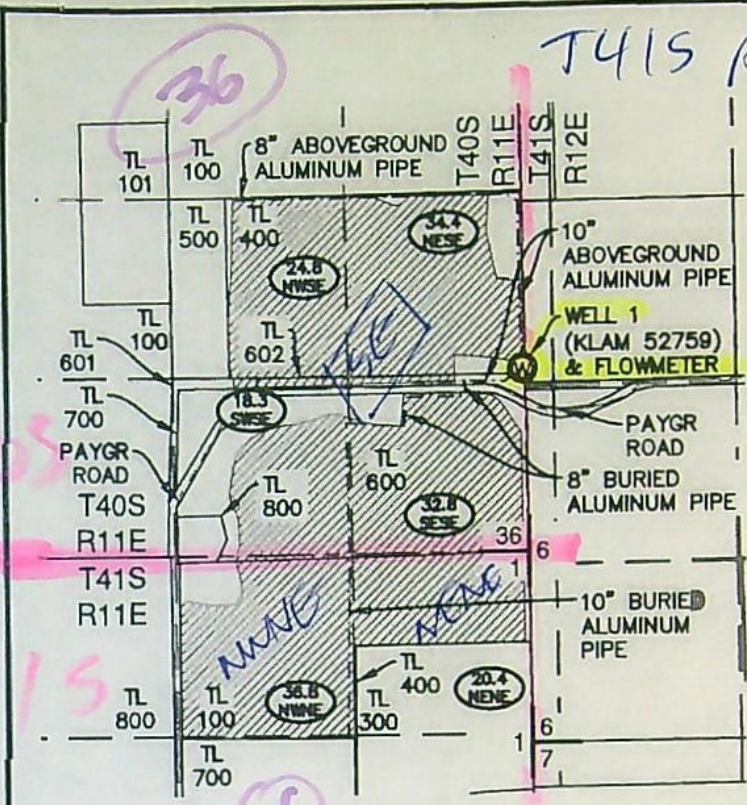
Certificate Reimbursement Authority Program Coordinator
Certificate Section, Water Rights Services Division
725 Summer St NE Suite A | Salem OR 97301 | Direct 503.979.3208
kerry.l.kavanagh@water.oregon.gov | <https://www.oregon.gov/OWRD>



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

T40S R11E, W.M. Sec 36

T41S R11E, W.M. Sec 1



LEGEND

- TOWNSHIP LINE
- RANGE LINE
- SECTION LINE
- 1/4 1/4 LINE
- TAX LOT LINE
- MAINLINE PIPE
- ROAD
- 36 | 6 SECTION CORNER
- TL 0000 TAX LOT NUMBER
- W WELL
- 35.0 SWSE IRRIGATED UNDER PERMIT G-15405

NOTES:

1. THIS MAP WAS PREPARED FROM FIELD MEASUREMENTS, NAIP 2022 AERIAL PHOTOGRAPHY, KLAMATH COUNTY TAX MAPS, AND OREGON GLO MAPS.
2. THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT ONLY, AND IS NOT INTENDED TO PROVIDE DIMENSIONS OR LOCATION OF PROPERTY LINES.
3. DATE OF PRIORITY FOR THIS WATER RIGHT IS MAY 10, 2001.

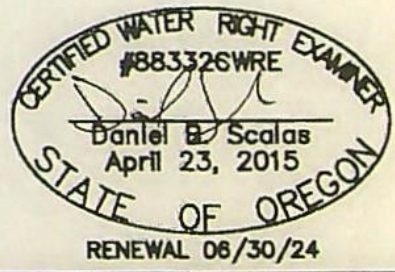
WELL LOCATION:

WELL 1 (KLAM 52759): 1350' NORTH & 50' WEST FROM THE SOUTHEAST CORNER OF SECTION 36.

RECEIVED

APR 25 2023

OWRD



AL ADKINS ENGINEERING & SURVEYING
 o / 541.884.4666 w / AdkinsEngineering.com

1435 ESPLANADE AVENUE, KLAMATH FALLS, OR 97601

SERVING S. OREGON & N. CALIFORNIA

ENGINEERING • SURVEYING • PLANNING • TESTING

3/17/2023

4010-01

CLAIM OF BENEFICIAL USE AND FINAL PROOF MAP

FOR
 CRISS DUNCAN
 T40S, R11E, SEC.6, WM; T41S, R11E, SEC.1, WM
 KLAMATH COUNTY, OREGON
 PERMIT G-15405
 APPLICATION G-15495

STATE OF OREGON

COUNTY OF KLAMATH

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JO ANN WOLLENHORST-RUSS
RUDOLPH PAYGR
17823 COUNTRY RD 85 B
EPARTO, CALIFORNIA 95627

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-15495

SOURCE OF WATER: A WELL IN LOST RIVER BASIN

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION OF 172.2 ACRES

MAXIMUM RATE: 2.15 CUBIC FEET PER SECOND

PERIOD OF USE: APRIL 1 THROUGH SEPTEMBER 30

DATE OF PRIORITY: MAY 10, 2001

WELL LOCATION: NE ¼ SE ¼, SECTION 36, T40S, R11E, W.M.; 1400 FEET NORTH
& 200 FEET WEST FROM SE CORNER, SECTION 36

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE ¼ SE ¼ 37.9 ACRES

NW ¼ SE ¼ 24.8 ACRES

SW ¼ SE ¼ 18.3 ACRES

SE ¼ SE ¼ 34.0 ACRES

SECTION 36

TOWNSHIP 40 SOUTH, RANGE 11 EAST, W.M.

NE ¼ NE ¼ 20.4 ACRES

NW ¼ NE ¼ 36.8 ACRES

SECTION 1

TOWNSHIP 41 SOUTH, RANGE 11 EAST, W.M.

Handwritten notes:
167.52 x 1800 ft/acre
= 2.09 375
50.0
51.2
2.09

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Before Use of Water Takes PlaceInitial and Annual Measurements

The Department requires the permittee to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

After Use of Water has BegunReference Water Level Determination

Following the first year of water use, the user shall submit one static water level measurement in the month specified above which will establish the reference level against which future annual measurements will be compared. The water user is not required to measure additional water levels after the reference level has been determined unless required by the Director. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer,

licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement; and
- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if annual water level measurements reveal any of the following events:

- (A) An average water level decline of three or more feet per year for five consecutive years; or
- (B) A water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) A water level decline of 25 or more feet; or
- (D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

If it is determined there are no underlying rights for these same lands after the adjudication of claims in the Klamath Basin, a certificate resulting from use of water under this permit may allow primary, rather than supplemental, irrigation of the lands described above. However, the right evidenced by such a certificate will be limited to the actual use made under this permit.

STANDARD CONDITIONS

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

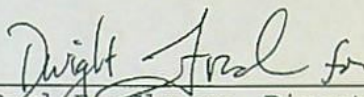
The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Complete application of the water to the use shall be made on or before October 1, 2007. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit,

the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued May 1, 2003


Paul R. Cleary, Director
Water Resources Department

REAL ESTATE TRANSACTIONS: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.

Application G-15495 Water Resources Department
Basin 14 Volume 2 LOST R
AMH

PERMIT G-15405
District 17

MAP TO ACCOMPANY GROUND WATER APPLICATION

SITUATED IN THE SE1/4 OF SECTION 36, T40S, R11EWM,
AND THE N1/2 OF THE NE1/4 OF SECTION 1, T41S,
R11EWM, KLAMATH COUNTY, OREGON
APRIL, 2001

RECEIVED

FEB 07 2002

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. *G-15495*
Permit No. *G-05405*

MAP PREPARED FOR

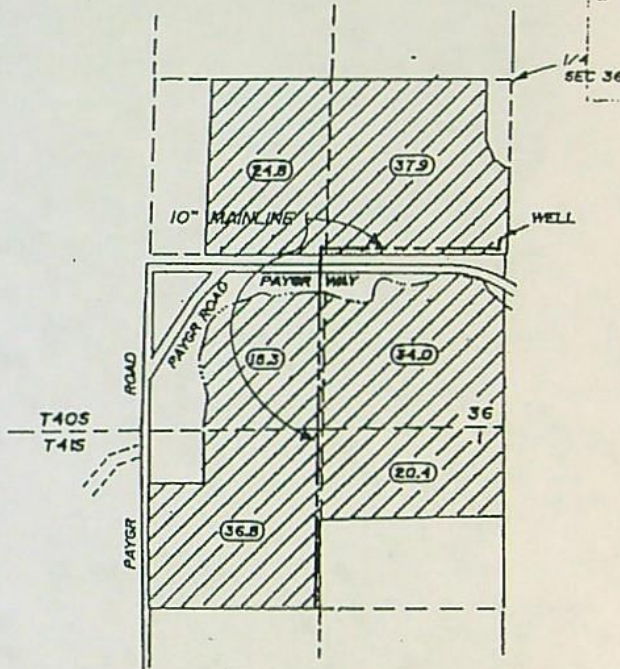
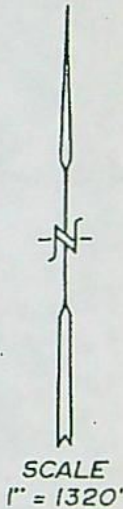
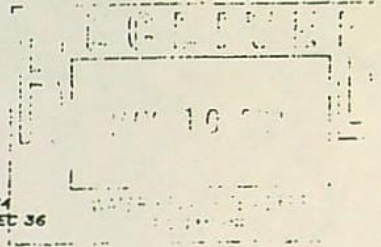
RAYMOND RUSS &

JO ANNE WALLENHORST-RUSS

MAP PREPARED FROM

--ASSESSORS MAP--

--RUDOLPH & MARY PAYGR--



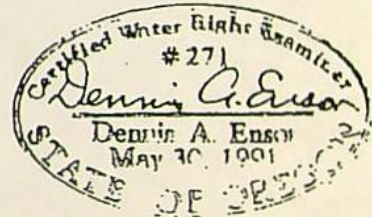
TOTAL AREA
THIS APPLICATION
--172.2 Ac--

LOCATION OF PROPOSED WELL BY OWNER

1400 FEET NORTH AND 200 FEET WEST OF
THE SECTION CORNER BETWEEN 36 AND 1



LANDS THIS APPLICATION



THE PURPOSE OF THIS MAP IS TO IDENTIFY THE
LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED
TO PROVIDE INFORMATION RELATIVE TO THE
LOCATION OF PROPERTY OWNERSHIP BOUNDARY
LINES.

TRU-LINE SURVEYING, INC.
2333 SUMMERS LANE
KLAMATH FALLS, OREGON 97603

STATE OF OREGON
WATER SOURCES DEPARTMENT

RECEIPT # **141436**

Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Criss C. Duncan;
BY: Aspen West, LLC

APPLICATION	6-15495
PERMIT	
TRANSFER	

CASH: CHECK:# 1501 OTHER: (IDENTIFY)

TOTAL REC'D \$1,810.⁰⁰

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47126 R12954-23 \$
0413 OTHER: (IDENTIFY) Certificate Reimbursement Authority \$1,810.⁰⁰

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons/Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407	COPY & TAPE FEES	\$
0410	RESEARCH FEES	\$
0408	MISC REVENUE: (IDENTIFY)	\$
TC162	DEPOSIT LIAB. (IDENTIFY)	\$
0240	EXTENSION OF TIME	\$

WATER RIGHTS:

	EXAM FEE		RECORD FEE
0201	\$	0202	\$
0203	\$	0204	\$
0205	\$		

	EXAM FEE		LICENSE FEE
0218	\$	0219	\$
		0220	\$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211	WELL CONST START FEE	\$	CARD#
0210	MONITORING WELLS	\$	CARD#

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233	POWER LICENSE FEE (FW/WRD)	\$
0231	HYDRO LICENSE FEE (FW/WRD)	\$
	HYDRO APPLICATION	\$

TREASURY OTHER / RDX

**RECEIVED
OVER THE COUNTER**

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ \$

RECEIPT: **141436**

DATED: 8/21/2023 BY: Criss C. Duncan

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

STATE OF OREGON
WATER SOURCES DEPARTMENT

RECEIPT # **141436**

Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Criss C. Duncan;
BY: Aspen West, LLC

APPLICATION	6-15495
PERMIT	
TRANSFER	

CASH: CHECK:# 1501 OTHER: (IDENTIFY)

TOTAL REC'D \$1,810.⁰⁰

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47126 R12954-23 \$
0413 OTHER: (IDENTIFY) Certificate Reimbursement Authority \$1,810.⁰⁰

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons/Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407	COPY & TAPE FEES	\$
0410	RESEARCH FEES	\$
0408	MISC REVENUE: (IDENTIFY)	\$
TC162	DEPOSIT LIAB. (IDENTIFY)	\$
0240	EXTENSION OF TIME	\$

WATER RIGHTS:

	EXAM FEE		RECORD FEE
0201	\$	0202	\$
0203	\$	0204	\$
0205	\$		

	EXAM FEE		LICENSE FEE
0218	\$	0219	\$
		0220	\$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211	WELL CONST START FEE	\$	CARD#
0210	MONITORING WELLS	\$	CARD#

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233	POWER LICENSE FEE (FW/WRD)	\$
0231	HYDRO LICENSE FEE (FW/WRD)	\$
	HYDRO APPLICATION	\$

TREASURY OTHER / RDX

**RECEIVED
OVER THE COUNTER**

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ \$

RECEIPT: **141436**

DATED: 8/21/2023 BY: Criss C. Duncan

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal



OREGON WATER RESOURCES DEPARTMENT
CERTIFICATE REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT
 Contract Number: **R12954-23**

This Agreement is between the Oregon Water Resources Department, hereafter OWRD, and Criss Duncan, hereafter Applicant, hereafter known together as the parties.

OWRD Information	Applicant's Information	Applicant's Representative
Project Contact: Kerry Kavanagh Reimbursement Authority Oregon Water Resources Department	Name: Criss Duncan	Name: Dan Scalas Title: Representative Company: Adkins Engineering & Surveying Inc.
725 Summer Street NE Salem, OR 97301-1271 Phone: 503-979-3208 Email: Kerry.L.Kavanagh@water.oregon.gov	Address: PO Box 64 Malin OR 97632 Phone: 541-941-8253 Email*: ccduncan71@gmail.com	Address: 1435 Esplanade Avenue Klamath Falls OR 97601 Phone: 541-884-4666 Email*: dscalas@adkinsengineering.com
*By providing an Email address, consent is given to receive all correspondence electronically. (Paper copies of the certificate and final order documents will also be mailed.)		

1. **Purpose.** The purpose of this Agreement is to expedite the processing of the **Claim of Beneficial Use**. (Application Number: **G-15495**)
2. **Authority.** ORS 536.055 authorizes the OWRD to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
3. **Restrictions.** Criss Duncan and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
4. **Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service has been received by OWRD.
5. **Consideration.** Criss Duncan shall pay OWRD in advance for actual costs incurred by OWRD. Criss Duncan agrees to pay the full amount of **\$1810** to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost. The costs stated in this Agreement do not include the statutory application processing and filing fees.
6. **Confidentiality.** Criss Duncan agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
7. **Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

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 AUG 21 2023
 OWRD

PCA 47126

8. **Termination.** Applicant may request to terminate this agreement only in writing at any time during the process. The Applicant agrees to pay for the work done by the Reimbursement Authority personnel up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance after paying the Reimbursement Authority personnel for the work done.
9. **Funds Authorized and Available.** By its execution of this Agreement, Applicants certifies that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
10. **Duration of Estimate.** The Estimate of Time to complete the work is no later than one hundred and twenty days (120) days once this Agreement has been fully executed and payment of the estimated cost deposited. However, this estimate is contingent on the Applicant's expeditious resolution of any deficiency and may be affected by the Department's work load. This Estimate of Time may become null and void after thirty (30) days from the date the Applicant's Agreement is mailed. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant may need to re-apply for a new estimate.
11. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information.
12. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define limit or describe the scope or intent of any provision of this Agreement.
13. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
14. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

Applicant: Criss C. Duncan
 Name: Criss Duncan
 Date: 8/8/23

For OWRD: K. Kavanagh
 Name: Kerry Kavanagh
 Water Right Services Division
 Date: 8-30-2023

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 OWRD

Mail signed Agreement to:
Kerry Kavanagh
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271

PCA 47126



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AUG 21 2023
OWRD

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Criss Duncan P.O. Box 64

Malin OR 97632

Transaction Type: RA

Fees Received: \$ 1810⁰⁰

Cash Check; Check No. 1501

Name(s) on Check: Criss Duncan

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

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Sincerely,

OWRD Customer Service Staff

Submission received by: Nick Reece
(Name of OWRD staff)

Instructions for OWRD staff:

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(Name of OWRD staff)

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KAVANAGH Kerry L * WRD

From: KAVANAGH Kerry L * WRD
Sent: Friday, May 12, 2023 9:43 AM
To: ccduncan71@gmail.com; dscalas@adkinsengineering.com
Cc: KAVANAGH Kerry L * WRD
Subject: Certificate RA Estimate R12954-23 for Criss Duncan involving Application G-15495 - need pump test
Attachments: RA contract_G-15495.pdf; estimate request_G-15495.pdf; estimate receipt_G-15495.pdf

Hello,

Please find the attached estimate and agreement to review the claim of beneficial use (Claim). If the proposed agreement is acceptable to you, please return a signed copy to our office along with the payment of the estimated cost to review the claim of beneficial use.

Based on cursory review of the Claim and Department records, I do not see receipt of a pump test or pump test exemption request for the claimed well (KLAM 52759). A pump test or pump test exemption must be submitted and approved by the Department's Groundwater Section staff prior to certificate issuance.

Please submit a pump test or pump test exemption request for the claimed well (KLAM 52759).

If you have any questions, please send me an email at kerry.l.kavanagh@water.oregon.gov.

Thanks,
Kerry

Kerry Kavanagh

Certificate Reimbursement Authority Program Coordinator
Certificate Section, Water Rights Services Division
725 Summer St NE Suite A | Salem OR 97301 | Direct 503.979.3208
kerry.l.kavanagh@water.oregon.gov | <https://www.oregon.gov/OWRD>



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

ATTACHMENT G
Certificate Reimbursement Authority
Estimate Application

RECEIVED

APR 25 2023

OWRD

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 140574

720 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Aspen West, LLC
BY: _____

APPLICATION G-15498
PERMIT _____
TRANSFER _____

CASH: CHECK:# 2343 OTHER: (IDENTIFY)

TOTAL REC'D \$ 125.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES Certificate Reimbursement
0413 OTHER: (IDENTIFY) Authority R-12954-23 \$ 125.00
0243 I/S Lease 47126 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES	\$
0410 RESEARCH FEES	\$
0408 MISC REVENUE: (IDENTIFY)	\$
TC162 DEPOSIT LIAB. (IDENTIFY)	\$
0240 EXTENSION OF TIME	\$

WATER RIGHTS:

0201 SURFACE WATER	EXAM FEE	\$	0202	RECORD FEE	\$
0203 GROUND WATER	EXAM FEE	\$	0204	RECORD FEE	\$
0205 TRANSFER	EXAM FEE	\$			

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR	EXAM FEE	\$	0219	LICENSE FEE	\$
LANDOWNER'S PERMIT	EXAM FEE	\$	0220	LICENSE FEE	\$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ CARD# _____
0210 MONITORING WELLS \$ CARD# _____
OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$
0231 HYDRO LICENSE FEE (FW/WRD) \$
HYDRO APPLICATION \$

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ \$

RECEIPT: 140574 DATED: 4-25-23 BY: mcaly

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 140574

720 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Aspen West, LLC
BY: _____

APPLICATION G-15498
PERMIT _____
TRANSFER _____

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LANDOWNER'S PERMIT	EXAM FEE	\$	0220	LICENSE FEE	\$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ CARD# _____
0210 MONITORING WELLS \$ CARD# _____
OTHER (IDENTIFY) _____

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0231 HYDRO LICENSE FEE (FW/WRD) \$
HYDRO APPLICATION \$

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ \$

RECEIPT: 140574 DATED: 4-25-23 BY: mcaly

RECEIVED
OVER THE COUNTER



**OREGON WATER RESOURCES DEPARTMENT
CERTIFICATE REIMBURSEMENT AUTHORITY
ESTIMATE APPLICATION**

ORS 536.055 authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement.

The purpose of this application is to obtain estimates of the cost and time required to process a Certificate Request. A separate estimate application is required for each application and/or transfer number. There is a non-refundable application fee of \$125.00 per request.

<u>REQUEST</u>	<u>TYPE</u>	<u>FILE NUMBER</u>
<input checked="" type="checkbox"/>	Certificate Request	Application Number <u>G-15495</u> Permit Number <u>G-15405</u> Transfer Number/Permit Amendment (if applicable) <u>N/A</u>

	<u>Applicant Information</u>	<u>Applicant's Representative/Contact</u>
Name:	<u>Criss Duncan</u>	<u>Adkins Engineering & Surveying, Inc</u>
Address:	<u>PO Box 64</u> <u>Malin, OR 97632</u>	<u>1435 Esplanade Ave.</u> <u>Klamath Falls, OR 97601</u>
Phone:	<u>541-941-8253</u>	<u>541-884-4666</u>
Fax:	_____	_____
E-Mail Address:	<u>Ccduncan71@gmail.com</u>	<u>dscalas@adkinsengineering.com</u>

I certify that I (check one):

- am attaching the Claim of Beneficial Use with this request and have included the appropriate claim fee.
 have previously filed a Claim of Beneficial Use.

I understand the following:

- That upon receipt of my non-refundable application fee in the amount of **\$ 125.00**, OWRD will, within fourteen (14) days, notify me in writing of the estimates of cost and time frame for the expedited service.
- That this fee covers the reimbursement authority staff to evaluate and provide the estimate for processing of the request.
- That upon receiving the estimate I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate Claim of Beneficial Use may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to:

**Oregon Water Resources Department
Certificate Reimbursement Authority Program
725 Summer St. NE, Suite A
Salem, OR 97301-1271**

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APR 25 2023

OWRD

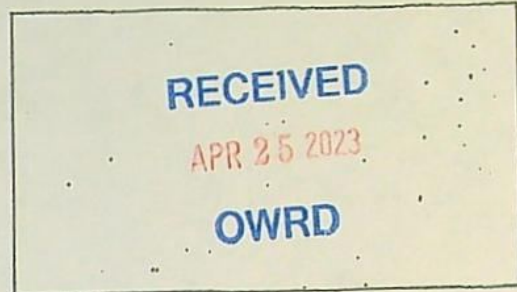
I certify that I am the (check one):

- Applicant's Representative Applicant Other (Please specify) _____

Name: Bryce McKinney

Signature: Bryce McKinney

OWRD USE ONLY: Reimbursement Authority Number: R12 954-23



Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Criss Duncan P.O. Box 64

Malin, OR 97632

Transaction Type: COBU

Fees Received: \$ 230⁰⁰

Cash Check; Check No. 2347

Name(s) on Check: Aspen West, LLC

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

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Sincerely,
OWRD Customer Service Staff

Submission received by: Nick Reel
(Name of OWRD staff)

Instructions for OWRD staff:

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APR 25 2023
OWRD

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Applicant Name(s) & Address: Criss Duncan P.O. Box 64
Malin OR 97632

Transaction Type: RA

Fees Received: \$ 125⁰⁰

Cash Check; Check No. 2343

Name(s) on Check: Aspen Work LLC

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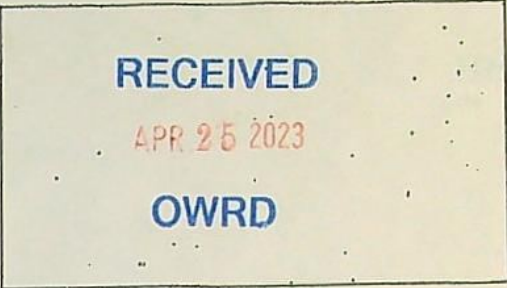
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Sincerely,
OWRD Customer Service Staff

Submission received by: Nick Reese
(Name of OWRD staff)

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Matin OR 97632

Transaction Type: RA

Fees Received: \$ 125⁰⁰

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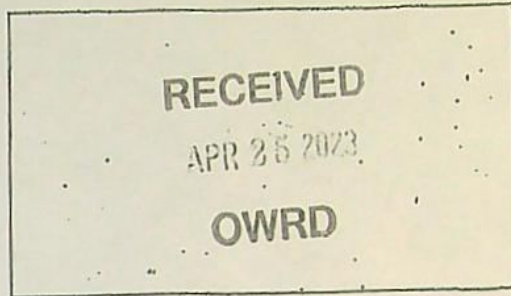
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(Name of OWRD staff)

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In the Matter of Application for Extension of Time for Permit G-15405, Water Right Application G-15495, in the name of William Bowman Revocable Living Trust and Criss Duncan	PROTEST OF PROPOSED FINAL ORDER RE: EXTENSION OF PERMIT G-15405
---	---

INTRODUCTION

Permit holder and applicant William Bowman, Trustee of the William Bowman Revocable Living Trust, files this protest pursuant to OAR 690-002-0030, OAR 690-315-0010, OAR 690-315-0060, and ORS 537.630.

On July 28, 2022, Mr. Bowman applied for an extension of Permit G-15405 from the original completion date of October 1, 2007, through October 1, 2025 ("Extension Application"). A copy of the Extension Application is attached as Exhibit A to this Protest. The permit authorizes use of up to 2.15 cubic feet per second of groundwater from one well for supplemental irrigation of 172.2 acres. Mr. Bowman is a co-holder of the permit with neighbor Criss Duncan. The well is located on Mr. Duncan's property and the permitted place of use is divided between Mr. Bowman (109.5 acres) and Mr. Duncan (62.7 acres).

On October 25, 2022, the Oregon Water Resources Department ("OWRD" or "department") issued a Proposed Final Order ("PFO") proposing to grant an extension through October 1, 2014 instead of Mr. Bowman's requested extension through October 1, 2025. For reasons described below, the PFO is in error and deficient.

OWRD's decision to limit the extension to October 1, 2014, appears to be based on the reviewer's understanding that the permit had been fully developed as of that date. That is understandable given the contents of the Extension Application. However, Mr. Bowman is elderly and relied heavily on the assistance of a staff person named Michelle in the local watermaster's office to prepare the extension application. Apparently, she misunderstood the extent of development under the permit and mistakenly asserted that the entire place of use had been irrigated. In reality, Mr. Bowman has not developed his portion of the permitted use (109.5 acres out of the permitted 172.2 acres) and therefore cannot develop the use and submit the required claim of beneficial use without a longer extension.

This Protest seeks to set the record straight regarding past water use, establish the need for a longer extension, and pursue approval of the requested extension through October 1, 2025.

ELEMENTS OF PROTEST

The elements of a protest, as required by OAR 690-315-0060(2) and OAR 690-002-0030(1), are addressed as follows:

1 – PROTEST OF PROPOSED FINAL ORDER RE: APPLICATION FOR EXTENSION OF PERMIT G-15405

1. **Protestant's Name and Address and Telephone Number (OAR 690-315-0060(2)(a); OAR 690-002-0030(1)(c))**

William Bowman, Trustee
William Bowman Revocable Living Trust
26112 Paygr Way
Malin, OR 97632

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DEC 09 2022

OWRD

2. **Description of the Protestant's Interest in the PFO (OAR 690-315-0060(2)(b))**

Mr. Bowman is the applicant and is therefore directly and adversely affected by the PFO. The PFO proposes to grant an insufficient extension of time for Mr. Bowman to develop his portion of Permit G-15405.

3. **Detailed Description of How the Action Proposed in the PFO Would Adversely Affect or Aggrieve the Protestant's Interest (OAR 690-315-0060(2)(c))**

Mr. Bowman intends to make economic use of the real property by using supplemental groundwater to irrigate crops. Failure to grant an extension of Permit G-15405 through October 1, 2025, would adversely affect and aggrieve Mr. Bowman in the planned economic use of his property. Without an adequate extension, Mr. Bowman cannot prove up on his portion of the permit, resulting in total loss of his portion of the permit, inability to irrigate when surface water is unavailable, and devaluation of the associated real property.

4. **Detailed Description of How the PFO is in Error or Deficient and How to Correct the Alleged Error or Deficiency (OAR 690-315-0060(2)(d)); Statement of Facts Sufficient to Show that the Protestant is Entitled to the Relief or Action Requested and Statement of Specific Relief or Action Requested (OAR 690-002-0030(1)(a) & (b))**

For reasons described below, the PFO is in error and deficient. OWRD should correct the errors and deficiencies by issuing a superseding proposed final order and/or final order approving the requested extension through October 1, 2025. The following Findings of Fact (FOF) and Conclusions of Law (COL) are erroneous and deficient:

A. *FOF #12: "The Department record shows that...177.0 acres have been irrigated..."*

The water use report referenced in this finding (for water year 2014) states that water was used on only 65.0 acres, not 177.0 acres. The total reported water use was 177.0 acre-feet. Further, the reports for other years in which water was used under the permit (2015, 2017, and 2018) confirm that only 65.0 acres were irrigated. This roughly corresponds to the 62.7-acre portion of the permit that is located on the neighboring property owned by the permit co-holder, Mr. Duncan. A copy of the online water use reporting for this permit is attached as Exhibit B.

B. FOF #13: "According to the Application, a maximum rate of 2.15 cfs of water has been appropriated from the Well for supplemental irrigation of 172.2 acres."

This finding does not accord with the facts due to an apparent misunderstanding at the time OWRD staff filled out the extension application for Mr. Bowman. The Extension Application did, in error, state that the entire 172.2 acres had been irrigated, which presumably led the extension reviewer to conclude that the permit had been fully developed and that Mr. Bowman would not need an extension through October 1, 2025. Yet elsewhere in the Extension Application, Mr. Bowman emphasized the need for additional time to construct a well on his own property. (Extension Application, pp. 9-11.) Although he signed the Extension Application, he did not realize it contained erroneous statements indicating that his property had been irrigated from the permitted well.

C. FOF #14: "An estimated investment of approximately \$63,000, has been made which is the total cost for complete development of the permit as currently authorized."

Due to the mistaken understanding described above, OWRD found that the \$63,000 represented the "total cost for complete development of the permit as currently authorized," when, in fact, it was merely the estimated cost for partial development of the permit. The finding does not include the remaining estimated cost of \$73,000 to fully develop Mr. Bowman's portion of the permit.

D. FOF #27: "The authorized well is located on a neighbor's property, and currently cannot be accessed by the Applicant."

This finding is accurate as far as it goes. However, due to the above-described misunderstanding, the extension reviewer apparently did not understand that the denial of access to the well has made it impossible for Mr. Bowman to complete development of his portion of the permit from the currently-authorized well. As stated in the Extension Application, Mr. Bowman would need to amend the permit to add a well on his property, construct the proposed well, and irrigate his portion of the permitted place of use from that well. Otherwise, Mr. Bowman cannot file a claim of beneficial use that meets the requirements of OAR Chapter 690, Division 14, and will ultimately lose his portion of the permit.

E. FOF #29: "As of July 28, 2022, no additional work is needed to complete development of the permit as authorized. * * * Given the amount of development left to occur, the Department has determined that the permit holder's request to have until October 1, 2025, is not reasonable or necessary. Based on FOF 12, and 13, the Department has determined and [sic] Extension of Time to October 1, 2014, is necessary to accomplish the application of water to beneficial use under the terms and conditions of Permit G-15405."

Mr. Bowman incorporates the above discussion regarding the mistaken understanding that led OWRD to make this finding. Mr. Bowman has not developed his portion of the permit to date and needs the requested extension through October 1, 2025, to do so.

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F. COL #3: "Based on Finding of Facts 7, through 29, completion of construction and full application of water to beneficial use can be accomplished by October 1, 2014, as required by OAR 690-315-0040(1)(c)." OWRD

Mr. Bowman incorporates the above discussion regarding the mistaken understanding that led OWRD to reach this conclusion. Mr. Bowman has not developed his portion of the permit to date and needs the requested extension through October 1, 2025, to do so.

G. COL #4: "The applicant can complete the project within the time period requested for the extension on the project, and is granted only for the reasonable time necessary to complete water development an [sic] apply water to beneficial use. OAR 690-315-0050(4)."

Mr. Bowman incorporates the above discussion regarding the mistaken understanding that led OWRD to reach the conclusion that an extension through October 1, 2014, would be "the reasonable time necessary to complete water development...." Mr. Bowman has not developed his portion of the permit to date and needs the requested extension through October 1, 2025, to do so.

H. Proposed Order: "Based upon the foregoing Findings of Fact and Conclusions of Law, the Department proposes to issue an order to: Extend the time to apply water to beneficial use under Permit G-15405 from October 1, 2007, to October 1, 2014."

Mr. Bowman incorporates the above discussion regarding the mistaken understanding that led OWRD to issue a proposed order to extend Permit G-15405 through October 1, 2014. For reasons described above, Mr. Bowman has not developed his portion of the permit to date and needs the requested extension through October 1, 2025, to do so.

Other than the above findings and conclusions, Mr. Bowman notes that the department's findings and conclusions are accurate, including positive findings of compliance with permit conditions, good faith, reasonable diligence and ultimately good cause. As a co-holder of the permit, Mr. Bowman is entitled to the requested extension through October 1, 2025, based on those positive findings and the remaining need to develop his portion of the permit.

5. Citation of Legal Authority to Support the Protest, if Known (OAR 690-315-0060(2)(e); OAR 690-002-0030(1)(d))

Legal authority known to the Protestant at this time:

ORS 537.630 relating to permit extensions.

ORS 539.010(5) relating to permit extension considerations.

ORS Chapter 183 pertaining to agency orders.

OAR Chapter 690 Division 14 relating to claims of beneficial use.

OAR Chapter 690 Division 315 relating to permit extensions.

OAR Chapter 690 Division 002 relating to protests and contested case hearings.

Case law relating to the above statutes and rules.

6. Protest Fee (OAR 690-002-0030(1))

Please deduct the protest fee of \$480.00 (applicant's fee) from Schwabe, Williamson & Wyatt's account with the Oregon Water Resources Department.

7. Request for Contested Case Hearing (OAR 690-315-0060(3)(b); OAR 690-002-0010(6))

Mr. Bowman hereby requests a contested case hearing.

CONCLUSION

Given the above-described facts and legal arguments – most importantly, the unfortunate misunderstanding upon which OWRD proposed an insufficient extension of time – Mr. Bowman is entitled to relief. Specifically, he requests that OWRD issue a superseding proposed final order or a final order approving the requested extension of Permit G-15405 through October 1, 2025.

Although Mr. Bowman has requested a contested case hearing to reserve his legal right to a hearing, he would prefer to resolve this Protest through informal resolution and would welcome an opportunity to engage with OWRD to that end. Absent the misunderstanding described above, Mr. Bowman believes the department would have realized the need for additional time and granted the requested extension through October 1, 2025, to allow for construction of an additional point of appropriation on his property and irrigation of his portion of the authorized place of use.

If this matter goes to hearing, Mr. Bowman reserves the right to raise additional issues that were not readily identifiable or reasonably ascertainable during the time allowed for filing this Protest.

DATED: December 9, 2022.

SCHWABE, WILLIAMSON & WYATT, P.C.

By: 

Shonee D. Langford
530 Center Street NE, Suite 730
Salem, OR 97301
Telephone: 503-540-4261
Facsimile: 503-796-2900
E-mail: slangford@schwabe.com

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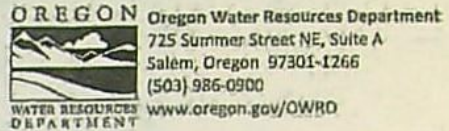
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Application for
Extension of Time
for a Water Right Permit
(NON-Municipal/ NON-Quasi-Municipal)

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Criteria for a Permit Extension of Time

The Department can accept requests for an extension of time on permits to (1) complete construction, and/or to (2) apply water to beneficial use.

In order to approve a permit extension request the Department must be able to find:

1) Construction has begun:

A. For Groundwater Permits

Construction of the well(s), *authorized by the permit*, began within 5 years of the date the permit was issued or by the actual construction date specified in the permit.

B. For Surface Water or Reservoir Permits

Construction of the water system began within 5 years of the date the permit was issued or by the actual construction date specified in the permit.

The Department will also confirm that:

- 2) If required, a fish screen, fish passage or fish by-pass device was installed before or prior to diversion of any water. An exception to the need to confirm installation prior to diversion of any water would be a waiver submitted to the Department from ODFW stating that a fish screen, fish passage or fish by-pass device was not required, provided your permit allows for a waiver.

If you have questions, please call the Department at (503)-986-0900 and ask to speak with a permit extension specialist.

Handwritten notes: 12/11/22, 11/22, 11/22

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TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT
A separate extension application must be submitted for each permit as per
OAR 690-315-0020(2).

I, William Bowman Revocable Living Trust
NAME OF PERMIT HOLDER [OAR 690-315-0020(1) and (3)(a)]
26112 Payne Rd, Malin, OR 97632
ADDRESS CITY STATE ZIP
541-281-4291 NO EMAIL
PHONE E-MAIL ADDRESS

the permit holder of: Application Number G-15495
Permit Number G-15405
[OAR 690-315-0020(3)(b)]

do hereby request that the date by which the water development will be completed and
water put to full beneficial use, which time now expires on Month: 10 Day: 01 Year: 2007, be
extended to October 1, 2025 [OAR 690-315-0020(3)(f)]

I am the permit holder, and may apply for an extension of time under this permit. I understand that false or misleading
statements in this extension application are grounds for OWRD to suspend processing of the request and/or reason to deny
the extension.

<u>William B. Bowman</u> Signature	<u>7/28/22</u> Date
<u>William Bowman</u> Printed Name	<u>Owner</u> Title
The agent below is authorized to represent the applicant in all matters relating to THIS application.	
_____	Permit Holder Initials
Authorized Agent (Print Agent Name)	Agent contact

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Before submitting your Application for Extension of Time, make sure the following items are included:

- This completed Application for Extension of Time.
- Statutory fee of \$780
- Signature page (Second page of this Application for Extension of Time).
- Letter granting an agent authority to act on behalf of the permit holder (if applicable)
- All supporting documentation and/or evidence referenced in the Application for Extension of Time. (ODFW Fish screen approval or waiver, contract for stored water, etc)

MAIL COMPLETED APPLICATION
along with the Supporting documents and/ or evidence and correct fee to:

Water Resources Department
Attn: Water Right Permit Extensions
725 Summer Street NE, Suite A
Salem, Oregon 97301

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GENERAL TIPS:

- Permit holders of municipal or quasi-municipal water use permits **DO NOT** use this form. The correct form is APPLICATION FOR EXTENSION OF TIME FOR MUNICIPAL AND QUASI-MUNICIPAL WATER USE PERMITS.
- Request the reasonable amount of time necessary to fully complete construction of the water project and/or to fully use the permitted quantity of water under the terms and conditions of your permit. Should this request be approved, it will be OWRD's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.
- A separate APPLICATION FOR EXTENSION OF TIME must be submitted for each permit. OAR 690-315-0020(2).
- Permit extensions are evaluated under OAR Chapter 690, Division 315. These rules may be viewed at the State of Oregon, Secretary of State Website. To be granted an extension of time, the Department must make four specific findings; 1) the application is complete, 2) construction of the water system began within the time specified in the permit and applicable statute, 3) there is good cause, and 4) the project can be completed within the time being requested. If the Department cannot make all four findings, the extension of time cannot be approved.
- You may provide OWRD with any additional information or evidence that will aid us in making our decision. Please note that OWRD may require other information that is necessary to evaluate the application. OAR 690-315-0020(3)(n).
- After careful review of the Application for Extension of Time, you may contact OWRD at (503) 986-0900, to ask questions and request assistance from a Permit Extensions Specialist in the Water Rights Services Division.

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- An Application for an Extension of Time will be reviewed for completeness. A response is required for each item contained in the application. OWRD will return any incomplete or deficient applications to the applicant. OAR 690-315-0040(1)(a).

Reference Materials Needed to Complete this Application:

- The water right permit. If needed, a copy of the water right permit can be downloaded from the Department's Website, or, a copy of the permit may be requested by water right application number from the Water Rights Division at 503-986-0900 (copy fees will apply).
- Previous Applications and Orders. Copies of previous applications and orders that may inform the completion of the Application for Extension of Time, if available, may be downloaded from the Department's Website. **NOTE: If the document requested is not available on the Department's website, you may be required to submit a Public Record Request.**
- Documentation which demonstrates compliance with permit conditions (for example, well construction logs; static water level measurement reports; annual water use reports; ODFW fish screen certification; a plan to monitor the effect of water use on ground water aquifers utilized under the permit; etc.).

Questions to complete this application for an Extension of Time
Please see the Instruction sheet to help you answer these items.

1. Beginning Construction within required deadlines. OAR 690-315-0020(3)(d)

For Groundwater Permits

Has construction of the point of appropriation (well) authorized under this permit begun?
 Yes No

Date construction began Month: Day: Year: 05/18/2001

Details of construction and attach documentation:

Klam 52759

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For Surface/Reservoir Permit

Has construction of the water system begun? Yes No

Date construction began Month: Day: Year: _____

Details of construction and attach documentation:

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OAR 690-315-0020(3)(A)(e)(A)

2a. Permits typically contain standard or special conditions that must be fully satisfied to lawfully develop and use permitted water. Review the permit subject to this extension to identify which of the conditions listed in the 2nd column are contained within it. Using the extra row labeled "other" to specify any other additional conditions included in the permit, or specified in a final order approving a permit amendment or prior extension of time. In the 1st column check the box for each condition (row) identified as relevant. In the 3rd column check "Yes" if you have completed or met the permit condition. Check "No" if the condition is not yet satisfied. In the 4th column, give the date when the condition was satisfied or will be satisfied. Attach any pertinent documentation. Note: a pump test condition does not need to be addressed here however; you must submit the results of the test to the Department for approval prior to certification.

CHART-A

Permit Conditions in this Permit		Have Completed or Met?	Date satisfied/ or will be satisfied
Checkbox	Ground water Check those included on this permit		
<input type="checkbox"/>	Installation of a meter/totalizing flow meter	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of annual water usage report	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<input type="checkbox"/>	Submittal of static water level measurements in the month required	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>		<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Special well construction standards	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a monitoring plan	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input checked="" type="checkbox"/>	Well ID tag assigned and installed: L 37550	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	06/21/2001
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Surface Water or Reservoir			
<input type="checkbox"/>	Installation of a meter/ totalizing flow meter	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of annual water use report	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish screen	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish by-pass device	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish passage	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of an outlet gate/pipe/ conduit	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a letter from ODFW that fish screen, fish by-pass device, and or fish passage is not required	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submit as-built plans and specification	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a letter from an engineer prior to storage	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	

2b. If you have identified that you have NOT complied with Permit conditions, explain the reasons why and indicate a date certain, when you will be in compliance.

NO

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[OAR 690-315-0020(3)(e)]

3. Provide evidence of physical work made toward completion of the water system, and of progress made toward making beneficial use of water within the permitted time period (CHART-B); and if applicable, within the time period of the most recent extension granted (CHART-C). CHART-B (below) must be completed for all Application for Extension of Time requests. Use chronological order. Itemize each work item, and do not combine multiple work actions in one area. (Planning, formulating a business plan, securing financing, letting contracts, purchasing but not installing equipment, surveying, clearing land, or planting crops is not considered work in the development of the water system. Work accomplished under other water rights may not be considered work under this permit.)

CHART-B

DATE	WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED <i>List any work done before the permit was issued - eg. well drilled.</i>	COST*
5/18/2001	Construction of Klam 52759	20,000.00
DATE	WORK ACCOMPLISHED AFTER PERMIT WAS ISSUED and PRIOR TO DATE SPECIFIED IN PERMIT FOR COMPLETE APPLICATION OF WATER <i>List work/actions done during the permitted time period.</i>	COST*
05/01/2003	Date the permit was signed - find date above signature on last page of permit.	
	Pump	1,000.00
	Electrical	7,000.00
	Wheel line - irrigation equip - main line	25,000.00
10/01/2007	Date the permit specified complete application of water to the use shall be made- all permits contain this date.	
DATE	WORK ACCOMPLISHED AFTER the date the permit specified complete application of water and prior to any previous extension order <i>COMPLETE ONLY IF THIS IS YOUR 1st APPLICATION FOR AN EXTENSION OF TIME: List work done after the date specified in the permit for complete application of water up to the date of this Application for Extension of Time.</i>	COST*
10-2-2007	unknown -	
Present		
Total Cost for Chart-B		\$63,000.00

* If exact cost is not known, you must provide your best estimate.

estimate

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[OAR 690-315-0020(3)(e)(B)]

Provide evidence of the maximum rate (or duty, if applicable) of water diverted for beneficial use under this permit made to date. *Rate is 2.15 cfs*

TIP: Report the rate used to date. Unless full beneficial use has been made, this rate will be less than the rate authorized on the permit.

6. For Surface Water Permit Extensions (e.g. S-XXXX or R-XXXX):

TIP: Report the rate in the same units of measurement as specified in the permit.

Maximum rate used to date = _____ cfs (cubic feet per second) or,

Maximum rate used to date = _____ gpm (gallons per minute) or,

Maximum volume of stored water used to date = _____ AF or,

Maximum volume stored annually to date = _____ AF

7. For Ground Water Permit Extensions (e.g. G-XXXX):

TIP: Include information from ALL wells that pertain to this permit, including drilled wells not currently used.

CHART-D

Well # as Identified on Permit	Water User's Well #	Has this well been drilled?	IF DRILLED					If yes, provide the Permit, Certificate, or Transfer No.
			Well Log Number e.g. MORR 50473	Well Tag Number e.g. # 27566 or N/A	Is the actual drilled location authorized on this permit or on a permit amendment?	Maximum instantaneous rate used to date from this well -- under this permit only (CFS or GPM)	Is this well authorized or utilized under any OTHER water rights?	
POA #1		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	KLAM 52754	L 37550	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	2.15 cfs	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	-
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	-
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	-
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	-
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	-
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	-
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	-
Total instantaneous rate from all wells utilized under this permit								

8. Has a Permit Amendment Application been filed? Yes No
If yes, identify Transfer No. T-_____

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[OAR 690-315-0020(3)(e)(C)]

9. For Irrigation and Nursery Use Permits Extensions

Provide the total number of acres irrigated to date under this permit.

a) Total acres irrigated to date: 172.2

b) List by year, the number of acres irrigated each year since permit issuance.

Year	Acres	Year	Acres	Year	Acres
SEE ATTACHMENT A					

c) Provide a copy of the application map identifying the acres irrigated.

d) Please specify the number of acres irrigated by each Point of Diversion/Point of Appropriation (POD/POA).

(POD/POA) # 1 Acres 172.2 (POD/POA) # ___ Acres ___

(POD/POA) # ___ Acres ___ (POD/POA) # ___ Acres ___

[OAR 690-315-0020(3)(I)(J)]

10. In the chart below provide a summary of your future plans and schedule to complete the construction of the water system, and/or apply water to full beneficial use under the terms and conditions of the permit.

CHART-E

APPROXIMATE DATE RANGE (projected)	WORK OR ACTION TO BE ACCOMPLISHED (projected)	ESTIMATED COST (projected)
2022	Permit Admendment or Permit split	
	well drilled approx 300'	\$50,000.00
	Pump	3,000.00
	new well line	10,000.00
	ELECTRIC	\$10,000.00
Year: 2022	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	
Total Cost		\$73,000.00

approx.

[OAR 690-315-0020(3)(e)]

11. Estimated remaining cost to complete the project:

(The total cost from CHART-E) 1. This extension of time needs to be completed

- 2. A permit Admendment or permit split needs to be done
- 3. A new POA needs to be done for MR. Bowman's property

[OAR 690-315-0020(3)(f)]

12. Provide a summary of your plan to complete construction, meeting all permit conditions and apply the water to beneficial use: (List all tasks or steps needed to complete the project, the date when each task will be completed, and the cost associated with each task; attach additional pages if necessary.) The POA#1 is located on Criss Duncan's property and he will not give me access to the POA. So I need to drill my own well for my crops & property.

[OAR 690-315-0020(3)(k)]

13. Justify the time requested to complete the project and/or apply the water to full beneficial use. (Include any other information or evidence to establish that the requested amount of time is sufficient and that you will be able to complete the project within the amount of time requested.)

I will need to file a permit split and then a permit amendment and then have a new well drilled

[OAR 690-315-0020(3)(l)]

14a. Will a denial of the extension result in undue hardship? (Describe the hardship and the effects.)

Yes, I will not be able to farm and use my Supplemental water Right for my crops. Which is my only income.

14b. Are there any other reasonable alternatives that exist for meeting your water use needs? (Explain in detail, consider other potential sources of water, and describe their feasibility)

No, even if I could use ~~the~~ the existing well (POA#1). Pump test need to be done and the CBU filed

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[OAR 690-315-0020(3)(h)]

15. Was the delay in the timely completion of this water development project and/or timely application of water to full beneficial use caused by any additional government requirements, other than the conditions contained within the permit, which significantly delayed the completion and perfection of this right? (Explain in detail, including how much time did this delay the project; list dates.) _____

N/A

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[OAR 690-315-0020(3)(h)]

16. Describe any unforeseen events which contributed to the delay of completion of this project that you had no control over. (Explain in detail what the unforeseen events were (i.e. health issues, natural disaster) and how much time was spent addressing the unforeseen events. Delays caused by business decisions are not considered unforeseen events) _____

The original permit owners pass away and the property was in trusts for AND THE LAND WAS LEASED.

[OAR 690-315-0020(3)(h)]

17. Describe an additional reasons why the construction was not completed, and/or water was not beneficially used within permit time limits. (Provide supporting information for the reason(s) that best fits your circumstances.) MR. BOWMAN purchased the

land and found out he was able to use the well on his property. So he couldn't call for a QBU

[OAR 690-315-0020(3)(m)(n)]

18. Provide any other information you wish OWRD to consider while evaluating your Application for Extension of Time.

The well for this WR Permit is on the other landowner Criss Duncan. Mr. Duncan will not allow access to well so he can use it to irrigate his property. He wants to add a POA to his property.

[OAR 690-315-0040(2)(f)]

19. Will the income or use of the water project provide a fair and reasonable return on your investment? (Explain in detail) _____

It will take approx. 5 yrs to re-coup the investment for this new well

[OAR 690-315-0040(4)(d)]

20. Describe in detail if there are other economic interest, beyond those of the permit holder, which are dependent upon the completion of this project. (Who will be effected and how?) _____

N/A

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Attach permit, and documentation to the application

Well log - Klam 52759 - original well for WR

Highlighted map of Permit 6-15405

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Application for an Extension of time for a Permit

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EXHIBIT A
Page 12 of 16

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KLAM 52759

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STATE OF OREGON
WATER SUPPLY WELL REPORT
(As required by ORS 217.743)

JUN 22 2001

WELL ID. # L37550
START CARD # 139992

Instructions for completing this form.

Klam
52759

(1) LAND OWNER: Name: Joanne Wallenhorst, Address: 17023 Co. Rd. B51, City: Esparto, State: CA, Zip: 95627

(9) LOCATION OF WELL by legal description: County: Klamath, Township: 40S, Range: 11E, Section: 35, Block: 400, Lot: 1/4, NE 1/4

(2) TYPE OF WORK: New Well, Deepening, Alteration (replace/convert), Abandonment

Street Address of Well (or nearest address): 26112 PRVGE WAY

(3) DRILL METHOD: Rotary Air, Rotary Mud, Cable, Auger, Other

(10) STATIC WATER LEVEL: Date: 6/8/01, Artesian pressure: _____

(4) PROPOSED USE: Domestic, Community, Industrial, Irrigation, Thermal, Injection, Livestock, Other

(11) WATER BEARING ZONES: Depth of which water was first found: _____

(5) BORE HOLE CONSTRUCTION: Special Construction approval: Yes, No, Depth of Completed Well: 314 ft.

Table with 4 columns: From, To, Estimated Flow Rate, SWL. Row 1: 123, 314, 1500, 94

Table with 6 columns: Diameter, From, To, Material, From, To, Sacks. Row 1: 20, 0, 74, Bent, 0, 30, 116 sacks. Row 2: 16, 74, 205, cement, 30, 74, 70 sacks. Row 3: 12, 205, 314

How was seal placed: Method: A, B, C, D, E, Other

(12) WELL LOG: Circled Elevation: _____

Table with 7 columns: Diameter, From, To, Gauge, Static, Plastic, Welded, Threaded. Row 1: 16, 0, 74, 1.250, 74, 0, 0, 0, 0

Table with 4 columns: Material, From, To, SWL. Rows: /Topsoil (0-25), Brn olgy sand (25-6), Brn & red lava boulders (6-27), Brn lava (27-33), Gray basalt (33-38), Decomp. gray lava (38-69), Gray basalt (69-92), Brn sandstone (92-123), Gray broken basalt (123-240), Brn and gray lava (240-260), Brn lava (260-270), Gray broken basalt (270-314)

(7) PERFORATIONS/SCREENS: Table with 8 columns: From, To, Slot size, Number, Material, Tubing size, Casing, Lioc. All cells are empty.

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(8) WELL TESTS: Minimum testing time is 1 hour. Pump: Pump, Baler, Air, Flowing. Yield: 2150, Drawdown: 621', Well rest at: 1 hr.

Date started: 5/18/01, Completed: 6/8/01. (Sealed) Water Well Constructor Certification. I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards.

Temperature of water: 66°, Depth Artesian Flow Found: _____
Was a water analysis done? Yes, No. By whom: _____
Did any strata contain water not suitable for intended use? Yes, No. Salty, Muddy, Odor, Colored, Other: _____
Depth of strata: _____

WWC Number: _____, Signed: _____, Date: 6/27/01

ORIGINAL - WATER RESOURCES DEPARTMENT FIRST COPY - CONSTRUCTOR. SECOND COPY - CUSTOMER

MAP TO ACCOMPANY GROUND WATER APPLICATION

SITUATED IN THE SE1/4 OF SECTION 36, T405, R1E1W1M
AND THE N1/2 OF THE NE1/4 OF SECTION 1, T415,
R1E1W1M, KLAMATH COUNTY, OREGON
APRIL, 2001

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FEB 07 2002
WATER RESOURCES DEPT.
SALEM, OREGON

Application No. G-15495
Permit No. G-85405

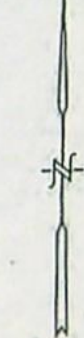
MAP PREPARED FOR
RAYMOND RUSS &
JO ANNE WALLENHORST-RUSS

MAP PREPARED FROM
--ASSESSORS MAP--

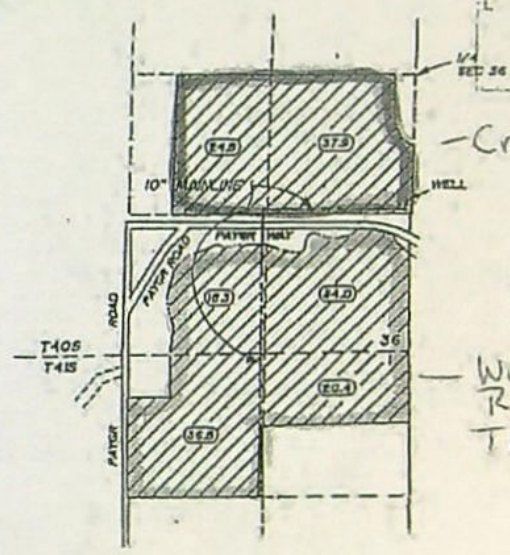
--RUDOLPH & MARY PAYGR--

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SCALE
1" = 1320'



-Crisis Duncan
property

TOTAL AREA
THIS APPLICATION
--172.2 Ac.--

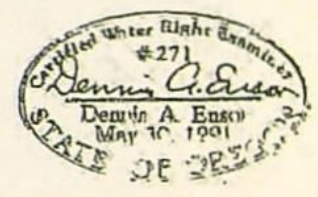
-William Bowman
Revocable Living
Trust Property

LOCATION OF PROPOSED WELL BY OWNER

1400 FEET NORTH AND 200 FEET WEST OF
THE SECTION CORNER BETWEEN 36 AND 1



LANDS THIS APPLICATION



THE PURPOSE OF THIS MAP IS TO IDENTIFY THE
LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED
TO PROVIDE INFORMATION RELATIVE TO THE
LOCATION OF PROPERTY OWNERSHIP BOUNDARY
LINES.

TRU-LINE SURVEYING, INC.
2333 SUMMERS LANE
KLAMATH FALLS, OREGON 97603

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Attachment "A"

Description	OWRD	Date	Water Use Year	Final Use (USD)	EM Reading Last Year	EM Reading	EM Multiplier	EM Units	EM Rollover Amt	EM Rollover Value	Final Use Source	Final Use Determined By
OWRD	FIELD SERVICES SECTION	5/7/2003							1	0		
OWNR	WATER USE REPORT	9/30/2003	2003	0.00					1	0 WURP		KARL WOZNIAK
OWNR	WATER USE REPORT	9/30/2004	2004	0.00					1	0 WURP		KARL WOZNIAK
OWNR	WATER USE REPORT	9/30/2008	2008	0.00					1	0 WURP		KARL WOZNIAK
OWRD	FIELD SERVICES SECTION	5/8/2010				24.00	0.01	AF	1	0		
OWRD	FIELD SERVICES SECTION	10/27/2010	2010	191.89	0.00	191.89	0.01	AF	1	0 FFA		KARL WOZNIAK
OWNR	GROUNDWATER SECTION	10/31/2010							1	0		
OWRD	FIELD SERVICES SECTION	10/19/2011	2011	0.00	191.89	191.89	0.01	AF	1	0 FFA		NED GATES
OWRD	FIELD SERVICES SECTION	10/24/2012	2012	0.00	191.89	191.89	0.01	AF	1	0 FFA		JERRY GARDNER
OWRD	FIELD SERVICES SECTION	10/22/2013	2013	0.00	191.89	191.89	0.01	AF	1	0 FFA		NED GATES
OWRD	FIELD SERVICES SECTION	10/24/2014	2014	174.99	191.89	366.85	0.01	AF	1	0 FFA		NED GATES
OWRD	FIELD SERVICES SECTION	10/16/2015	2015	109.13	366.85	471.58	0.01	AF	1	0 FFA		NED GATES
OWRD	FIELD SERVICES SECTION	10/20/2016	2016	0.00	471.58	471.58	0.01	AF	1	0 FFA		NED GATES
OWRD	FIELD SERVICES SECTION	10/25/2017	2017	0.00	471.58	471.58	0.01	AF	1	0 FFA		NED GATES
OWRD	FIELD SERVICES SECTION	10/21/2018	2018	0.00	471.58	471.58	0.01	AF	1	0 FFA		NED GATES
OWRD	FIELD SERVICES SECTION	10/03/2019	2019	0.24	471.58	472.22	0.01	AF	1	0 FFA		THOMAS
OWRD	FIELD SERVICES SECTION	10/28/2020	2020	0.00	472.22.00	472.22.00	0.01	AF	1	0 FFA		NED GATES

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Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

August 9, 2022

REFERENCE: Application for Extension of Time

Dear Extension of Time Applicant:

The Water Right Services Division has received your application for an extension of time for APPLICATION FILE #: G-15495 (Permit G-15405). Your application will be reviewed in the future. Following the review, you will receive a Proposed Final Order either approving or rejecting the extension of time request. A 45-day protest period begins upon issuance of the Proposed Final Order. After the protest period closes, a Final Order is issued.

You may continue the use of water under your water right until the Water Resources Department formally takes action on your extension application. If your permit includes conditions, water use reporting, water level measurement reporting, etc., you are required to comply with the conditions.

Any additional development that occurs after the expired completion date, identified on the permit or an extension order, can only be claimed upon an approved extension application.

If you have questions concerning your extension of time application, please contact Jeffrey Pierceall at (503) 979-3213. For general information about the Water Resources Department, you may contact the Water Resources' Customer Service Group at (503) 986-0801 or you may access the Department's website at: www.wrd.state.or.us.

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Water Use Report Based on Water Right



Permit: G 15405 *
 WILLIAM BOWMAN REVOCABLE LIVING TRUST 26112 PAYGR RD MALIN, OR
 97632

Records per page: 11 [View All](#)

Acre-feet (AF) of Water Used

Water Year*	Report ID	Facility	Acre-feet (AF) of Water Used												Total Water Used	Irrigated Acres
			Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep		
2019	61382	A WELL (KLAM 52759/L-37550)	0.00	0.00	0.00										0.00	
2018	61382	A WELL (KLAM 52759/L-37550)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	65.00
2017	61382	A WELL (KLAM 52759/L-37550)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	65.00
2016	61382	A WELL (KLAM 52759/L-37550)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2015	61382	A WELL (KLAM 52759/L-37550)							12.00	20.00	51.00				83.00	65.00
2014	61382	A WELL (KLAM 52759/L-37550)								54.00	29.00	64.00	30.00		177.00	65.00
2013	61382	A WELL (KLAM 52759/L-37550)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2012	61382	A WELL (KLAM 52759/L-37550)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2008	61382	A WELL (KLAM 52759/L-37550)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2004	61382	A WELL (KLAM 52759/L-37550)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2003	61382	A WELL (KLAM 52759/L-37550)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	

*The water year is named for the calendar year in which it ends. Example: the 2018 water year begins Oct. 1, 2017 and ends Sep. 30, 2018.

- The Water Resources Department makes reasonable efforts to screen the data for quality control; however, the Department cannot accept responsibility for errors, omissions, or accuracy of the information. Notification of any errors is appreciated. Send notifications to owrd.waterusereporting@water.oregon.gov or call 971-345-7489.
- Water use is reported by point of diversion (POD), rather than by water right.
- If a POD is shared with multiple water rights, it is not feasible to separate out the amount used under the water right being queried from water used by other rights using this same POD.
- Monthly amounts indicate:
 - For diverted rights, the total amount diverted during the month;
 - For storage rights, the amount generally stored in the reservoir/pond during the month, as represented by the volume of water impounded on approximately the same day each month.
- Water use amounts have all been converted to "acre-feet" (AF), regardless of the original measurement unit reported. One AF is the volume of water that will cover an acre of ground one foot deep = 325,850 gallons.
- Zeroes indicate that a report was received stating that no water was used during those months; if a year is not listed, no report of water use was received for that year.

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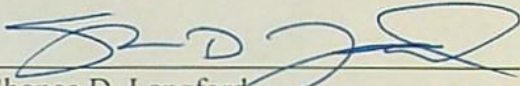
DEC 09 2022

OWRD

CERTIFICATE OF SERVICE

I certify that on December 9, 2022, I hand delivered the original PROTEST OF PROPOSED FINAL ORDER RE: APPLICATION FOR EXTENSION OF PERMIT G-15405 to the Oregon Water Resources Department at 725 Summer St. NE, Suite A, Salem, Oregon 97301.

SCHWABE, WILLIAMSON & WYATT, P.C.

By: 

Shonee D. Langford
530 Center Street NE, Suite 730
Salem, OR 97301
Telephone: 503-540-4261
Facsimile: 503-796-2900
E-mail: slangford@schwabe.com

Of Attorneys for Protestant

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DEC 09 2022

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DEC 12 2022

OWRD

December 9, 2022

Shonee D. Langford
T: 503-540-4261
slangford@schwabe.com

BY HAND DELIVERY

Patricia E. McCarty
Protest Program Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem OR 97301-1271

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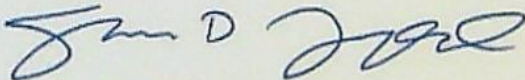
RE: Protest / William Bowman (Permit G-15405 / Application G-15495)
Our File No.: 140401-276681

Dear Patricia:

Enclosed for filing on behalf of William Bowman is a Protest of the Proposed Final Order Re Extension of Permit G-15405 issued on October 25, 2022 in connection with Mr. Bowman's Application for an extension of Permit G-15405. I will represent Mr. Bowman in this matter.

Please charge the Protestant's filing fee of \$480.00 to Schwabe, Williamson & Wyatt's account with the department.

Best regards,



Shonee D. Langford

SDL:asc
Enclosures

cc: William Bowman (w/Enclosures)

PDX\140401\276681\SDL\35390195.1

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DEC 12 2022

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OVER THE COUNTER

OREGON WATER RESOURCES DEPARTMENT
ACCOUNT ACTIVITY RECORD

Account Name: Schurke Williamson and Wyatt *completed*

Account #: CA0012 Activity Date: 12-9-2022

Please complete and leave with Customer Service Representative. CSG, please place in ASD mailbox.

Transaction Description	Number of Items or Hours	Project Name (If Applicable)	Customer Contact Name (Person Making Copies)	OWRD Personnel Providing Assistance (Or Verifying Fees)	Amount (\$) of Activity
Deposit to Account:					
Copying: Self Service Agency Assisted					
Faxing:					
Research:					
Other: Protest		Protest Filing		Dante Luaygo	\$480
Other:					
	47235				

0223

Your account may be required to provide an account project number per your accounting department. If required, please have your project number ready upon any service request.

Schwabe
WILLIAMSON & WYATT

RECEIVED

DEC 12 2022

OWRD

December 9, 2022

Shonee D. Langford
T: 503-540-4261
slangford@schwabe.com

BY HAND DELIVERY

Patricia E. McCarty
Protest Program Coordinator
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem OR 97301-1271

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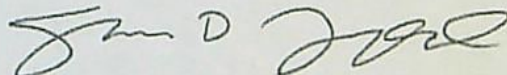
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Best regards,



Shonee D. Langford

SDL:asc
Enclosures

cc: William Bowman (w/Enclosures)

PDX 140401 276681 SDL 35390195 1

RECEIVED

DEC 12 2022

RECEIVED
OVER THE COUNTER

OREGON WATER RESOURCES DEPARTMENT

ACCOUNT ACTIVITY RECORD

Account Name: Schwabe Williamson and Wyatt

Account #: CA 0012 Activity Date: 12-9-2022

Please complete and leave with Customer Service Representative. CSG, please place in ASD mailbox.

Transaction Description	Number of Items or Hours	Project Name (If Applicable)	Customer Contact Name (Person Making Copies)	OWRD Personnel Providing Assistance (Or Verifying Fees)	Amount (\$) of Activity
Deposit to Account:					
Copying: Self Service Agency Assisted					
Faxing:					
Research:					
Other: Protest		Protest Filing		Dante Luongo	\$480
Other:					

Your account may be required to provide an account project number per your accounting department. If required, please have your project number ready upon any service request.

Mailing List for Extension PFO Copies

PFO Date: October 25, 2022

Copies Mailed

Application: G-15495
Permit: G-15405

By: KMWF
On: 10/25/2022

Original mailed to Applicant:

William Bowman Revocable Living Trust, and Criss Duncan
26112 Payger Rd.
Malin, OR 97632

Copies sent to:

1. WRD - App. File G-15495/ Permit G-15405
2. Agent or CWRE representing the Permit Holder

Fee paid as specified under ORS 536.050 to receive copy:

3. None

Receiving via e-mail (10 AM Tuesday of signature date)
(DONE BY EXTENSION SPECIALIST)

4. WRD - Watermaster District 17, Danette Watson

CASEWORKER: JDP

Oregon Water Resources Department
Water Right Services Division

Application for Extension of Time

In the Matter of the Application for an Extension of Time)		PROPOSED
for Permit G-15405, Water Right Application G-15495, in)		FINAL
the name of William Bowman Revocable Living Trust, and)		ORDER
Criss Duncan		

Permit Information

Application:	G-15495
Permit:	G-15405
Basin:	14 – Klamath / Watermaster District 17
Date of Priority:	May 10, 2001
Source of Water:	a well in Lost River Basin
Purpose or Use:	supplemental irrigation of 172.2 acres
Maximum Rate:	2.15 cubic feet per second (cfs)

Please read this Proposed Final Order in its entirety.

In Summary, the Department proposes to:

- Grant an extension of time to apply water to full beneficial use from October 1, 2007, to October 1, 2014¹.

This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.630 and 539.010(5), and Oregon Administrative Rule Chapter 690, Division 315.

¹Pursuant to ORS 537.630(5), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and a new or revised claim of beneficial use as deemed appropriate by the Department.

ACRONYM QUICK REFERENCE

Application – Application for Extension of Time
Department – Oregon Department of Water Resources
FOF – Finding of Fact
PFO – Proposed Final Order
Well – KLAM 52759
cfs - cubic feet per second

AUTHORITY

Generally, see ORS 537.630 and OAR Chapter 690 Division 315.

ORS 537.630(2) provides in pertinent part that the Oregon Water Resources Department (Department) for good cause shown shall order and allow an extension of time within which irrigation or other works shall be completed or the right perfected. In determining the extension, the Department shall give due weight to the considerations described under ORS 539.010(5) and to whether other governmental requirements relating to the project have significantly delayed completion of construction or perfection of the right.

ORS 539.010(5) instructs the Director to consider: the cost of the appropriation and application of the water to a beneficial purpose; the good faith of the appropriator; the market for water or power to be supplied; the present demands therefor; and the income or use that may be required to provide fair and reasonable returns upon the investment.

OAR 690-315-0040 provides that in order to approve an application for an extension of time to complete construction or apply water to full beneficial use, the Department shall make the findings in OAR 690-315-0040(1) including a finding that there is “good cause” to approve the extension. OAR 690-315-0040(2)-(4) contains the factors that the Department must consider to make findings that support a “good cause” determination.

FINDINGS OF FACT

1. On May 1, 2003, Permit G-15405 was issued by the Department. The permit authorizes the use of up to 2.15 cfs of water from a well in Lost River Basin for supplemental irrigation of 172.2 acres. The permit specified complete application of water was to be made on or before, October 1, 2007.
2. On April 26, 2022, a partial assignment by proof from Jo Ann Wollenhorst-Russ and Rudolph Paygr, to William Bowman Revocable Living Trust, was recorded in the records of the Water Resources Department.
3. On July 29, 2022, a partial assignment by proof from Jo Ann Wollenhorst-Russ and Rudolph Paygr, to Criss Duncan, was recorded in the records of the Water Resources Department.

4. On July 28, 2022, William Bowman, owner of William Bowman Revocable Living Trust, submitted an "Application for Extension of Time" (Application) to the Department, requesting the time to apply water to full beneficial use under the terms and conditions of Permit G-15405 be extended from October 1, 2007, to October 1, 2025.
5. On August 9, 2022, notification of the Application for Permit G-15405 was published in the Department's Public Notice. No public comments were received regarding the Application.

Review Criteria [OAR 690-315-0040]

In order to approve an Application for an Extension of Time to complete construction and/or apply water to full beneficial use pursuant to ORS 537.230 or 537.630, or to begin construction, pursuant to ORS 537.248, the Department must make the findings in OAR 690-315-0040(1)(a) – (d).

Complete Extension of Time Application [OAR 690-315-0040(1)(a)]

6. On July 28, 2022, the Department received a completed Application and the fee specified in ORS 536.050 from the permit holder.

Start of Construction [OAR 690-315-0040(1)(b) and 690-315-0040(5)]

7. Construction of the well began prior to permit issuance.
8. According to the well log received by the Department on June 22, 2001, construction of KLAM 52759 (Well) began May 18, 2001.

Based on Finding of Fact (FOF) 7, and 8, the Department has determined that the prosecution of the construction of the well began prior to October 1, 2007.

Good Cause [OAR 690-315-0040(1)(d)]

The Department must find that there is "good cause" to approve the extension. In making a "good cause" finding, the Department shall consider the requirements set forth under OAR 690-315-0040(2).

Reasonable Diligence of the Appropriator [OAR 690-315-0040(2)(a)]

In order to make a finding of "good cause" to approve the extension, the Department shall consider whether the applicant has demonstrated "reasonable diligence" in previous performance under the permit. OAR 690-315-0040(2)(a). In determining "reasonable diligence", the Department shall consider, but is not limited to, the following factors: a) The amount of construction completed within the time allowed in the permit or previous extension; b) The amount of beneficial use made of the water during the permit or previous extension time limits; c) Water right holder conformance with the permit or previous extension conditions; and d) Financial investments made toward developing the beneficial use of water.

Amount of Construction [OAR 690-315-0040(3)(a)]

The amount of construction completed within the time allowed in the permit or previous extension.²

9. Construction of the well began prior to permit issuance.
10. Work accomplished during the original development time frame under Permit G-15405 includes installation of a pump, mainline and irrigation equipment.

The Application provides evidence of progress of physical work made towards completion of the water system, enough to qualify as the minimum necessary for the Department to find good cause and reasonable diligence towards complete application of water to a beneficial use.

Compliance with Conditions [OAR 690-315-0040(3)(c)]

The water right permit holder's conformance with the permit conditions.

11. The Department has considered the permit holder's compliance with conditions, and has identified the following concerns: (1) annual reports of the amount of water used each month have not been received by the Department by October 1, 2007, (2) the record does not show that a meter or other suitable measuring device has been installed by October 1, 2007, and (3) the required March static water level measurements have not been received by the Department by October 1, 2007.

Based on FOF 11, the Department has determined that the permit holder has not demonstrated compliance with following permit conditions as required by Permit G-15405:

- "Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director." and
- "To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March."

In order to legally perfect the use of water under this permit, the permit holder must demonstrate that all conditions of the permit have been satisfied within the timeline provided by the permit.

² "Actual Construction" is defined in OAR 690-315-0020(3)(d)(A) and (B) as physical work performed toward completion of the water system which demonstrates the water right permit holder's good faith and intention to complete the project with reasonable diligence. Actual construction does not include planning a diversion system, formulating a business plan, securing financing, letting contracts, purchasing but not installing equipment, surveying, clearing land or planting crops.

12. The Department record shows that (1) a water use report was submitted for water year 2014 (October 1, 2013, through September 30, 2014) identifying 177.0 acres have been irrigated, (2) the report identifies a flowmeter as the method of measurement, and (3) the first March static water level measurement was taken March 22, 2011.

Based on FOF 12, the Department has determined the above listed conditions have been satisfied by October 1, 2014.

Beneficial Use of Water [OAR 690-315-0040(3)(b)]

The amount of beneficial use made of the water during the permit time limits.

13. According to the Application, a maximum rate of 2.15 cfs of water has been appropriated from the Well for supplemental irrigation of 172.2 acres.

Based on FOF 11, the Department has determined that beneficial use of water, in compliance with the terms and conditions of the permit has not been demonstrated under this permit because not all permit conditions were satisfied by October 1, 2007.

Financial Investments to Appropriate and Apply Water to a Beneficial Purpose [OAR 690-315-0040(2)(b),(3)(d),(4)(d)]

14. An estimated investment of approximately \$63,000, has been made which is the total cost for complete development of the permit as currently authorized.
15. The Application identifies an additional investment is needed to submit a request for a permit amendment to add an additional point of appropriation.

Based on FOF 14, the Department has determined that the permit holder had made an investment, which provides evidence of good cause and reasonable diligence towards the complete application of water to a beneficial use.

Reasonable Diligence of the Appropriator [OAR 690-315-0040(2)(a)]

The Application provides evidence of progress towards completion of the water system; a financial investment has been made; the permit holder has not demonstrated compliance with all permit conditions within the time authorized by the permit, and; beneficial use has not been demonstrated. The Department has determined the applicant has demonstrated the minimum necessary for the Department to find reasonable diligence towards complete application of water to a beneficial use.

The Market and Present Demands for Water [OAR 690-315-0040(4)(a-f)]

The Department's determinations of market and present demand for water or power to be supplied shall consider the requirements set forth under OAR 690-315-0040(4)(a-f). In accordance with OAR 690-315-0040(4), the Department shall consider, but is not limited to, the following factors when determining the market and the present demand for water or power to be supplied:

- *(a) The amount of water available to satisfy other affected water rights and scenic waterway flows;*
- *(b) Special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d);*
- *(c) The habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife;*
- *(d) Economic investment in the project to date;*
- *(e) Other economic interests dependent on completion of the project; and*
- *(f) Other factors relevant to the determination of the market and present demands for water and power.*

OAR 690-315-0040(4)(a)

The amount of water available to satisfy other affected water rights and scenic waterway flows.

16. A review of the amount of water available to satisfy other affected water rights and scenic waterway flows was determined at the time of issuance of Permit G-15405; furthermore, water availability for other affected water rights and scenic waterway flows after the permit was issued is determined when an Application for a new water right is submitted.

OAR 690-315-0040(4)(b)

Special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d).

17. The point of appropriation for Permit G-15405, located within the Lost River Basin, is not located within a limited or critical groundwater area.
18. Lost River is located above Klamath Scenic Waterway.
19. The point of appropriation is not in an area listed by the Department of Environmental Quality as a water quality limited stream.

OAR 690-315-0040(4)(c)

The habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife.

20. Lost River is located within an area ranked "low" for stream flow restoration needs as determined by the Department in consultation with the Oregon Department of Fish and Wildlife, and is located within a Sensitive, Threatened or Endangered Fish Species Area as identified by the Department in consultation with Oregon Department of Fish and Wildlife.

OAR 690-315-0040(4)(d)

Economic interests dependent on completion of the project.

21. An approximate total of \$63,000 has been invested in the project.

OAR 690-315-0040(4)(e)

Other economic interests dependent on completion of the project.

22. Other economic interests dependent on completion of the project have not been identified.

OAR 690-315-0040(4)(f)

Other factors relevant to the determination of the market and present demand for water and power.

23. No other factors relevant to the determination of the market and present demand for water and power have been identified.

Fair Return Upon Investment [OAR 690-315-0040(2)(f)]

24. The use and income from the permitted water development will likely result in reasonable returns upon the investment made to date.

Other Governmental Requirements [OAR 690-315-0040(2)(g)]

25. Delay in the development of this project was not caused by any other governmental requirements.

Unforeseen Events [OAR 690-315-0040(2)(h)]

26. The Applicant identifies that the original permit holders passed away and the land was leased by the Trust.

Denial of the Extension Will Result in Undue Hardship [OAR 690-315-0040(2)(i)]

27. The Applicant states a denial of the extension would result in undue hardship, and that there are no other reasonable alternatives exist for meeting water use needs. The authorized well is located on a neighbor's property, and currently cannot be accessed by the Applicant.

Good Faith of the Appropriator [OAR 690-315-0040(2)(c)]

28. The Application provides evidence of good faith of the appropriator under Permit G-15405.

Based on FOF 7, 8, 9, 10, 12, 13, 14, and 21, the Department has determined that the applicant has shown good faith and reasonable diligence.

Duration of Extension [OAR 690-315-0040(1)(c)]

Under OAR 690-315-0040(1)(c), in order to approve an extension of time for water use permits the Department must find that the time requested is reasonable and the applicant can complete the project within the time requested.

29. As of July 28, 2022, no additional work is needed to complete development of the permit as authorized.
30. The Applicant is requesting an Extension of Time to October 1, 2025, to allow them to submit a Permit Amendment to add an additional point of appropriation on the Applicants property.

Given the amount of development left to occur, the Department has determined that the permit holder's request to have until October 1, 2025, is not reasonable or necessary. Based on FOF 12, and 13, the Department has determined and Extension of Time to October 1, 2014, is necessary to accomplish the application of water to beneficial use under the terms and conditions of Permit G-15405.

Good Cause [OAR 690-315-0040(1)(d)]

The Department must find that there is "good cause" to approve the extension. In making a "good cause" finding, the Department shall consider the requirements set forth under OAR 690-315-0040(2).

The Department has considered the reasonable diligence and good faith of the appropriator, the cost to appropriate and apply water to a beneficial purpose, the market and present demands for water to be supplied, the financial investment made and fair and reasonable return upon the investment, the requirements of other governmental agencies, and unforeseen events over which the permit holder had no control, whether denial of the extension will result in undue hardship to the applicant and whether there are no other reasonable alternatives for meeting water use needs, any other factors relevant to a determination of good cause, and has determined that the applicant has shown that good cause exists for an extension of time to apply water to full beneficial use pursuant to OAR 690-315-0040(1)(d).

CONCLUSIONS OF LAW

1. The applicant has submitted a complete extension application form and the fee specified in ORS 536.050, as required by OAR 690-315-0040(1)(a).
2. The applicant has complied with the construction timeline requirements to begin construction as required by ORS 537.630, OAR 690-315-0040(1)(b) and OAR 690-315-0040(5).
3. Based on Finding of Facts 7, through 29, completion of construction and full application of water to beneficial use can be accomplished by October 1, 2014, as required by OAR 690-315-0040(1)(c).

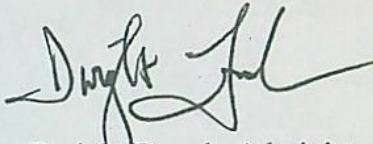
4. The applicant can complete the project within the time period requested for the extension on the project, and is granted only for the reasonable time necessary to complete water development an apply water to beneficial use. OAR 690-315-0050(4).
5. The applicant has demonstrated good cause for the extension.

PROPOSED ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, the Department proposes to issue an order to:

Extend the time to apply water to beneficial use under Permit G-15405 from October 1, 2007, to October 1, 2014.

DATED: October 25, 2022



Dwight French, Administrator,
Water Right Services Division

*If you have any questions,
please check the information
box on the last page for the
appropriate names and
phone numbers.*

Protests

Pursuant to OAR 690-315-0060(1), the applicant or any other person adversely affected or aggrieved by the proposed final order may submit a written protest to the proposed final order. Protests must be received by the Water Resources Department no later than **December 9, 2022**, at this address: Oregon Water Resources Department, Water Right Services Division, 725 Summer St NE, Suite A, Salem, OR 97301-1266. Protests may not be submitted by electronic mail. OAR 690-002-0025(3).

Protests must be in writing and include all of the following:

- The name, address, and telephone number of the protestant
- A detailed description of the protestant's interest in the proposed final order, and, if the protestant claims to represent the public interest, a precise statement of the public interest represented
- A detailed description of how the action proposed in the proposed final order would impair or be detrimental to the protestant's interest
- A detailed description of how the proposed final order is in error or deficient, and how to correct the alleged error or deficiency
- If the applicant protests, a statement of whether a hearing is requested
- Citation of legal authority supporting the protestant, if known

Application: G-15495

Permit: G-15405

Public Notice Route Slip ... New Application Extension of Time
per Division 315 Rules... (Extensions received on July 1, 2001 or after)

Applicant/Permit

Holder(s) William Bowman Revocable Trust
26112 Poygr Rd
Malin, OR 97632

Proposed Completion Date: 10-1-2025

WRIG...Money Received on: 7-28-2022

Extension Specialist ...

Added to tracking spreadsheet

After fee is received and app is added to spreadsheet, route to...

Tonya Miller...

Recent Assignment (Check WRIS for Update)

Publish on Public Notice (initial 30-day comment): Date of notice 8/9/2022

Update WRIS Database

In the "PNotice Date" field... Enter the date the Extension Application was published on the Public Notice.

In the "Ext Filed" field... Enter the date the Extension Application was received.

Yes or No: Return file to Extension Specialist after PN _____

NOTES:

STATE OF OREGON
WATER RESOURCES DEPARTMENT

725 Summer St. N.E. Ste. A
 SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **138764**

INVOICE # _____

RECEIVED FROM: William Bowman Farms

APPLICATION G-15495

BY: _____

PERMIT _____
 TRANSFER _____

CASH: CHECK:# 1986 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 780.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
 OTHER: (IDENTIFY) _____ \$ _____

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES 4611.00 \$ _____
 0410 RESEARCH FEES \$ _____
 0408 MISC REVENUE: (IDENTIFY) _____ \$ _____
 TC162 DEPOSIT LIAB. (IDENTIFY) _____ \$ _____
 0240 EXTENSION OF TIME \$ 780.00

WATER RIGHTS:

0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE
\$ _____	\$ _____	\$ _____	\$ _____
0203 GROUND WATER	EXAM FEE	0204	RECORD FEE
\$ _____	\$ _____	\$ _____	\$ _____

0205 TRANSFER \$ _____

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR	EXAM FEE	0219	LICENSE FEE
\$ _____	\$ _____	\$ _____	\$ _____
LANDOWNER'S PERMIT		0220	LICENSE FEE
		\$ _____	\$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE	\$ _____	CARD#	_____
0210 MONITORING WELLS	\$ _____	CARD#	_____

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FWWRD)	_____	\$ _____
0231 HYDRO LICENSE FEE (FWWRD)	_____	\$ _____
HYDRO APPLICATION		\$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____
 OBJ. CODE _____ VENDOR # _____
 DESCRIPTION _____ \$ _____

RECEIPT: **138764**

DATED: 07/26/22 BY: [Signature]

780

Application for
Extension of Time
for a Water Right Permit
(NON-Municipal/ NON-Quasi-Municipal)



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.oregon.gov/OWRD

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Criteria for a Permit Extension of Time

The Department can accept requests for an extension of time on permits to (1) complete construction, and/or to (2) apply water to beneficial use.

In order to approve a permit extension request the Department must be able to find:

1) Construction has begun:

A. For Groundwater Permits

Construction of the well(s), *authorized by the permit*, began within 5 years of the date the permit was issued or by the actual construction date specified in the permit.

B. For Surface Water or Reservoir Permits

Construction of the water system began within 5 years of the date the permit was issued or by the actual construction date specified in the permit.

The Department will also confirm that:

- 2) If required, a fish screen, fish passage or fish by-pass device was installed before or prior to diversion of any water. An exception to the need to confirm installation prior to diversion of any water would be a waiver submitted to the Department from ODFW stating that a fish screen, fish passage or fish by-pass device was not required, provided your permit allows for a waiver.

If you have questions, please call the Department at (503)-986-0900 and ask to speak with a permit extension specialist.

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TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT
A separate extension application must be submitted for each permit as per
OAR 690-315-0020(2).

I, William Bowman Revocable Living Trust
NAME OF PERMIT HOLDER [OAR 690-315-0020(1) and (3)(a)]
26112 Payne Rd, Malin, OR 97632
ADDRESS CITY STATE ZIP
541-281-4291 NO EMAIL
PHONE E-MAIL ADDRESS

the permit holder of: Application Number G - 15495
Permit Number G - 15405
[OAR 690-315-0020(3)(b)]

do hereby request that the date by which the water development will be completed and
water put to full beneficial use, which time now expires on Month: 10 Day: 01 Year: 2007, be
extended to October 1, 2025 [OAR 690-315-0020(3)(i)]

I am the permit holder, and may apply for an extension of time under this permit. I understand that false or misleading statements in this extension application are grounds for OWRD to suspend processing of the request and/or reason to deny the extension.

<u>William B. Bauer</u> Signature	<u>7/28/22</u> Date
<u>William Bowman</u> Printed Name	<u>Owner</u> Title

The agent below is authorized to represent the applicant in all matters relating to THIS application. _____
Permit Holder Initials

Authorized Agent (Print Agent Name) Agent contact

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Before submitting your Application for Extension of Time, make sure the following items are included:

- This completed Application for Extension of Time.
- Statutory fee of \$780
- Signature page (Second page of this Application for Extension of Time).
- Letter granting an agent authority to act on behalf of the permit holder (*if applicable*)
- All supporting documentation and/or evidence referenced in the Application for Extension of Time. (ODFW Fish screen approval or waiver, contract for stored water, etc)

MAIL COMPLETED APPLICATION

along with the Supporting documents and/ or evidence and correct fee to:

Water Resources Department
Attn: Water Right Permit Extensions
725 Summer Street NE, Suite A
Salem, Oregon 97301

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GENERAL TIPS:

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- Permit holders of **municipal or quasi-municipal water use permits DO NOT use this form**. The correct form is APPLICATION FOR EXTENSION OF TIME FOR MUNICIPAL AND QUASI-MUNICIPAL WATER USE PERMITS.
- Request the reasonable amount of time necessary to fully complete construction of the water project and/or to fully use the permitted quantity of water under the terms and conditions of your permit. Should this request be approved, it will be OWRD's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.
- A separate APPLICATION FOR EXTENSION OF TIME must be submitted for each permit. OAR 690-315-0020(2).
- Permit extensions are evaluated under OAR Chapter 690, Division 315. These rules may be viewed at the State of Oregon, Secretary of State Website. To be granted an extension of time, the Department must make four specific findings; 1) the application is complete, 2) construction of the water system began within the time specified in the permit and applicable statute, 3) there is good cause, and 4) the project can be completed within the time being requested. If the Department cannot make all four findings, the extension of time cannot be approved.
- You may provide OWRD with any additional information or evidence that will aid us in making our decision. Please note that OWRD may require other information that is necessary to evaluate the application. OAR 690-315-0020(3)(n).
- After careful review of the Application for Extension of Time, you may contact OWRD at (503) 986-0900, to ask questions and request assistance from a Permit Extensions Specialist in the Water Rights Services Division.

- An Application for an Extension of Time will be reviewed for completeness. A response is required for each item contained in the application. OWRD will return any incomplete or deficient applications to the applicant. OAR 690-315-0040(1)(a).

Reference Materials Needed to Complete this Application:

- **The water right permit.** If needed, a copy of the water right permit can be downloaded from the Department's Website, or, a copy of the permit may be requested by water right application number from the Water Rights Division at 503-986-0900 (copy fees will apply).
- **Previous Applications and Orders.** Copies of previous applications and orders that may inform the completion of the Application for Extension of Time, if available, may be downloaded from the Department's Website. **NOTE: If the document requested is not available on the Department's website, you may be required to submit a Public Record Request.**
- **Documentation which demonstrates compliance with permit conditions** (for example, well construction logs; static water level measurement reports; annual water use reports; ODFW fish screen certification; a plan to monitor the effect of water use on ground water aquifers utilized under the permit; etc.).

Questions to complete this application for an Extension of Time

Please see the instruction sheet to help you answer these items.

1. **Beginning Construction within required deadlines.** OAR 690-315-0020(3)(d)

For Groundwater Permits

Has construction of the point of appropriation (well) authorized under this permit begun?

Yes No

Date construction began Month: _____ Day: _____ Year: 05/18/2001

Details of construction and attach documentation:

Klam 52759

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For Surface/Reservoir Permit

Has construction of the water system begun? Yes No

Date construction began Month: _____ Day: _____ Year: _____

Details of construction and attach documentation:

2a. Permits typically contain standard or special conditions that must be fully satisfied to lawfully develop and use permitted water. Review the permit subject to this extension to identify which of the conditions listed in the 2nd column are contained within it. Using the extra row labeled "other" to specify any other additional conditions included in the permit, or specified in a final order approving a permit amendment or prior extension of time. In the 1st column check the box for each condition (row) identified as relevant. In the 3rd column check "Yes" if you have completed or met the permit condition. Check "No" if the condition is not yet satisfied. In the 4th column, give the date when the condition was satisfied or will be satisfied. Attach any pertinent documentation. Note: a pump test condition does not need to be addressed here however; you must submit the results of the test to the Department for approval prior to certification.

CHART-A

Permit Conditions in this Permit		Have Completed or Met?	Date satisfied/ or will be satisfied
Checkbox	Ground water Check those included on this permit		
<input type="checkbox"/>	Installation of a meter/totalizing flow meter	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of annual water usage report	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<input type="checkbox"/>	Submittal of static water level measurements in the month required	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>		<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Special well construction standards	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a monitoring plan	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input checked="" type="checkbox"/>	Well ID tag assigned and installed: <u>↳ 37550</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>06/21/2001</u>
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Surface Water or Reservoir			
<input type="checkbox"/>	Installation of a meter/ totalizing flow meter	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of annual water use report	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish screen	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish by-pass device	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish passage	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of an outlet gate/pipe/ conduit	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a letter from ODFW that fish screen, fish by-pass device, and or fish passage is not required	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submit as-built plans and specification	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a letter from an engineer prior to storage	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	

2b. If you have identified that you have NOT complied with Permit conditions, explain the reasons why and indicate a date certain, when you will be in compliance.

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[OAR 690-315-0020(3)(e)]

3. Provide evidence of physical work made toward completion of the water system, and of progress made toward making beneficial use of water within the permitted time period (CHART-B); and if applicable, within the time period of the most recent extension granted (CHART-C). CHART-B (below) must be completed for all Application for Extension of Time requests. *Use chronological order.* Itemize each work item, and do not combine multiple work actions in one area. (Planning, formulating a business plan, securing financing, letting contracts, purchasing but not installing equipment, surveying, clearing land, or planting crops is not considered work in the development of the water system. **Work accomplished under other water rights may not be considered work under this permit.**)

CHART-B

DATE	WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED <i>List any work done before the permit was issued – eg. well drilled.</i>	COST*
5/18/2001	Construction of Klam 52759	20,000.00
DATE	WORK ACCOMPLISHED AFTER PERMIT WAS ISSUED <i>and PRIOR TO DATE SPECIFIED IN PERMIT FOR COMPLETE APPLICATION OF WATER</i> <i>List work/actions done during the permitted time period.</i>	COST*
05/01/2003	Date the permit was signed - find date above signature on last page of permit.	
	Pump	1000.00
	Electrical	7000.00
	Wheel line - irrigation equip - main line	25,000.00
10/01/2007	Date the permit specified complete application of water to the use shall be made- all permits contain this date.	
DATE	WORK ACCOMPLISHED AFTER the date the permit specified complete application of water and prior to any previous extension order <i>COMPLETE ONLY IF THIS IS YOUR 1st APPLICATION FOR AN EXTENSION OF TIME: List work done after the date specified in the permit for complete application of water up to the date of this Application for Extension of Time.</i>	COST*
10-2-2007	unknown -	
Present		
Total Cost for Chart-B		\$63,000.00

* If exact cost is not known, you must provide your best estimate.

estimate

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4. If this is not your 1st Application for Extension of Time request, fill out CHART-C below in addition to CHART-B above. Use chronological order.

CHART-C

DATE	WORK ACCOMPLISHED DURING THE LAST EXTENSION PERIOD <i>List all work done during the last authorized extension period.</i>	COST*
	"Extended From" date for complete application of water used in the most recent Final Order on Extension of Time.	
	N/A	
	"Extended To" date for complete application of water resulting from the most recent Final Order on Extension of Time.	
DATE	WORK ACCOMPLISHED AFTER THE LAST EXTENSION PERIOD EXPIRED <i>List all work done after the last authorized date for complete application of water up to the date of this Application for Extension of Time.</i>	COST*
	N/A	
Total Cost of Chart-C		

* If exact cost is not known, you must provide your best estimate. [OAR 690-315-0020(3)(f)]

5. Cost of project to date: \$63,000.00 estimate
 (The total combined cost from CHART-B and CHART-C) [OAR 690-315-0020(f)]

[OAR 690-315-0020(3)(e)(B)]

Provide evidence of the maximum rate (or duty, if applicable) of water diverted for beneficial use under this permit made to date.

Rate is 2.15 cfs

TIP: Report the rate used to date. Unless full beneficial use has been made, this rate will be less than the rate authorized on the permit.

6. For Surface Water Permit Extensions (e.g. S-XXXX or R-XXXX):

TIP: Report the rate in the same units of measurement as specified in the permit.

Maximum rate used to date = _____ cfs (cubic feet per second) or,

Maximum rate used to date = _____ gpm (gallons per minute) or,

Maximum volume of stored water used to date = _____ AF or,

Maximum volume stored annually to date = _____ AF

7. For Ground Water Permit Extensions (e.g. G-XXXX):

TIP: Include information from ALL wells that pertain to this permit, including drilled wells not currently used.

CHART-D

Well # as identified on Permit	Water User's Well #	Has this well been drilled?	IF DRILLED					If yes, provide the Permit, Certificate, or Transfer No.
			Well Log Number e.g. MORR 50473	Well Tag Number e.g. # 27566 or N/A	Is the actual drilled location authorized on this permit or on a permit amendment?	Maximum instantaneous rate used to date from this well - - under this permit only (CFS or GPM)	Is this well authorized or utilized under any OTHER water rights?	
PCA #1		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	KLAM 52759	L 37550	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	2.15 cfs	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	-
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	-
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	-
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	-
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	-
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	-
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	-
Total instantaneous rate from all wells utilized under this permit								

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8. Has a Permit Amendment Application been filed? Yes No
If yes, identify Transfer No. T- _____

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[OAR 690-315-0020(3)(e)(C)]

9. For Irrigation and Nursery Use Permits Extensions

Provide the total number of acres irrigated to date under this permit.

- a) Total acres irrigated to date: 172.2
- b) List by year, the number of acres irrigated each year since permit issuance.

Year	Acres	Year	Acres	Year	Acres
	SEE ATTACHMENT A				

- c) Provide a copy of the application map identifying the acres irrigated.
- d) Please specify the number of acres irrigated by each Point of Diversion/Point of Appropriation (POD/POA).

(POD/POA)# 1 Acres 172.2 (POD/POA) # _____ Acres _____

(POD/POA) # _____ Acres _____ (POD/POA) # _____ Acres _____

[OAR 690-315-0020(3)(i)(j)]

10. In the chart below provide a summary of your future plans and schedule to complete the construction of the water system, and/or apply water to full beneficial use under the terms and conditions of the permit.

CHART-E

APPROXIMATE DATE RANGE (projected)	WORK OR ACTION TO BE ACCOMPLISHED (projected)	ESTIMATED COST (projected)
2022	Permit Admendment or Permit split	
	well drilled approx 300'	\$50,000.00
	Pump	3,000.00
	new well line	10,000.00
	ELECTRIC	\$10,000.00
Year: 2022	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	
	Total Cost	\$73,000.00

approx.

[OAR 690-315-0020(3)(g)]

11. Estimated remaining cost to complete the project:

(The total cost from CHART-E) 1. This extension of time needs to be Completed

- 2. A permit Admendment or permit split needs to be done
- 3. A new POA needs to be done for MR. Bowman's property

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[OAR 690-315-0020(3)(j)]

12. Provide a summary of your plan to complete construction, meeting all permit conditions and apply the water to beneficial use: (List all tasks or steps needed to complete the project, the date when each task will be completed, and the cost associated with each task; attach additional pages if necessary.)

The POA#1 is located on Criss Duncan's property and he will not give me access to the POA. So I need to drill my own well for my crops & property.

[OAR 690-315-0020(3)(k)]

13. Justify the time requested to complete the project and/or apply the water to full beneficial use. (Include any other information or evidence to establish that the requested amount of time is sufficient and that you will be able to complete the project within the amount of time requested.)

I will need to file a permit split and then a permit amendment and then have a new well drilled

[OAR 690-315-0020(3)(l)]

14a. Will a denial of the extension result in undue hardship? (Describe the hardship and the effects.)

Yes, I will not be able to farm and use my Supplemental water Right for my crops, which is my only income.

14b. Are there any other reasonable alternatives that exist for meeting your water use needs? (Explain in detail, consider other potential sources of water, and describe their feasibility)

No, even if I could use ~~the~~ the existing well (POA#1). Pump test need to be done and the CBU filed

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[OAR 690-315-0020(3)(h)]

15. Was the delay in the timely completion of this water development project and/or timely application of water to full beneficial use caused by any additional government requirements, other than the conditions contained within the permit, which significantly delayed the completion and perfection of this right? (Explain in detail, including how much time did this delay the project; list dates.) _____

N/A

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[OAR 690-315-0020(3)(h)]

16. Describe any unforeseen events which contributed to the delay of completion of this project that you had no control over. (Explain in detail what the unforeseen events were (i.e. health issues, natural disaster) and how much time was spent addressing the unforeseen events. Delays caused by business decisions are not considered unforeseen events) _____

The original permit owners pass away and the property was in trusts for AND THE LAND WAS Leased.

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[OAR 690-315-0020(3)(h)]

17. Describe an additional reasons why the construction was not completed, and/or water was not beneficially used within permit time limits. (Provide supporting information for the reason(s) that best fits your circumstances.) MR. BOWMAN purchased the

_____ land and found out he was able to use the well on his property. So he couldn't call for a CBU

[OAR 690-315-0020(3)(m)(n)]

18. Provide any other information you wish OWRD to consider while evaluating your Application for Extension of Time.

_____ The well for this WR Permit is on the other landowner Criss Duncan. MR. Duncan will not allow access to well so he can use it to irrigate his property. He wants to add a POA to his property.

[OAR 690-315-0040(2)(f)]

19. Will the income or use of the water project provide a fair and reasonable return on your investment? (Explain in detail) _____

It will take approx. 5 yrs to re-comp
the investment for this new well

SSOS YR JUL

OWRD

[OAR 690-315-0040(4)(d)]

20. Describe in detail if there are other economic interest, beyond those of the permit holder, which are dependent upon the completion of this project. (Who will be effected and how?)

— N/A

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Attach permit, and documentation to the application

Well log - Klam 52759 - original well
for WR

Highlighted map of Permit 6-15405

RECEIVED

**STATE OF OREGON
WATER SUPPLY WELL REPORT**
(as required by ORS 517.745)

JUN 22 2001

Instructions for completing **WATER RESOURCES DEPT.** Form **WRS-1**

WELL ID. # L 32550
START CARD # 13992

*Klam
52759*

(1) LAND OWNER: Well Number _____
Name Joanne Wallenhorst
Address 17023 Co. Rd. 353
City Esparto, State CA Zip 95627

(2) TYPE OF WORK:
 New Well Deepening Alteration (repair/condition) Abandonment

(3) DRILL METHOD:
 Rotary Air Rotary Mud Cable Auger
 Other _____

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Livestock Other _____

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 314 ft.
Explosives used Yes No Type _____ Amount _____

HOLE			SEAL		
Diameter	From	To	Material	From	To
20	0	74	Bent cement	0	30
16	74	205		74	74
12	205	314			

Units or pounds: 116 sacks, 70 sacks

How was seal placed: Method A B C D E
 Other _____

Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
16	+1	74	1.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Line: _____

Drive Shoe used Inside Outside None
Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS:

From	To	Slot size	Number	Diameter	Tube/pipe size	Casing	Line
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour

Pump	Ballor	Air	Flowing
Yield gal/min	Drawdown	Drill stem at	Artesian
2150	6.5'		<u>1 hr.</u>

Temperature of water 66° Depth Artesian Flow Found _____
Was a water analysis done? Yes No By whom _____
Did any strata contain water not suitable for intended use? Yes No
 Salty Muddy Odor Colored Other _____
Depth of strata: _____

(9) LOCATION OF WELL by legal description:
County Klamath Latitude _____ Longitude _____
Township 40S N or S Range 11E E or W. WM.
Section 35 SE 1/4 NE 1/4
Tax Lot 400 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) _____
26112 PAYGE WAY

(10) STATIC WATER LEVEL:
94 ft. below land surface. Date 6/8/01
Artesian pressure _____ lb. per square inch Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found _____

From	To	Estimated Flow Rate	SWL
123	314	1500	94

(12) WELL LOG:

Ground Elevation _____

Material	From	To	SWL
/Topsoil	0	2 1/2	
Brn clay & sand	2 1/2	6	
Brn & red lava & cinders	6	27	
Brn lava	27	33	
Gray basalt	33	38	
Decomp. gray lava	38	69	
Gray basalt	69	92	
Brn sandstone	92	123	
Gray broken basalt	123	240	94
Brn and gray lava	240	260	
Brn lava	260	270	
Gray broken basalt	270	314	

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JUL 28 2002

OWRD

Date started 5/18/01 Completed 6/8/01

(unbonded) Water Well Constructor Certification
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.
WVC Number _____
Signed _____ Date _____

(bonded) Water Well Constructor Certification
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
WVC Number 1258
Signed Randy A. Johnson Date 6/21/01

MAP TO ACCOMPANY GROUND WATER APPLICATION

SITUATED IN THE SE1/4 OF SECTION 36, T40S, R11EWM,
AND THE N1/2 OF THE NE1/4 OF SECTION 1, T41S,
R11EWM, KLAMATH COUNTY, OREGON
APRIL, 2001

RECEIVED

FEB 07 2002

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. *G-15495*
Permit No. *G-5405*

MAP PREPARED FOR
RAYMOND RUSS &
JO ANNE WALLENHORST-RUSS

MAP PREPARED FROM
--ASSESSORS MAP--

--RUDOLPH & MARY PAYGR--

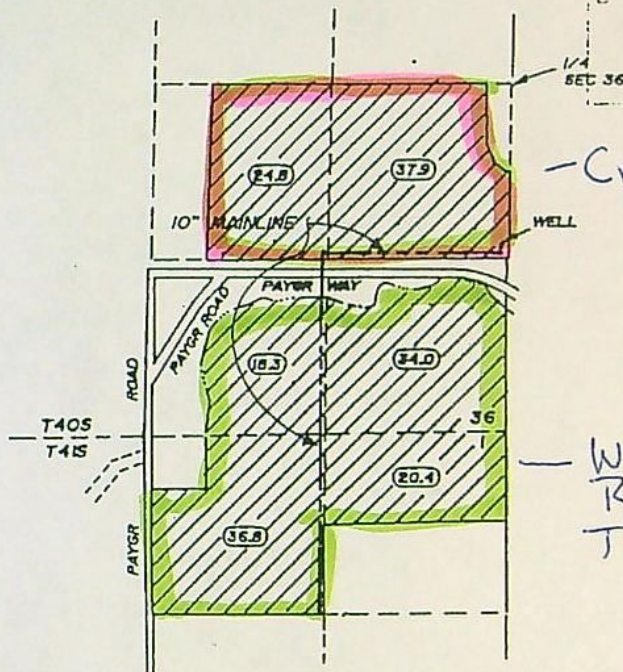
RECEIVED

JUL 28 2002

OWRD

N

SCALE
1" = 1320'



-Cris Duncan
property

TOTAL AREA
THIS APPLICATION
--172.2 Ac.--

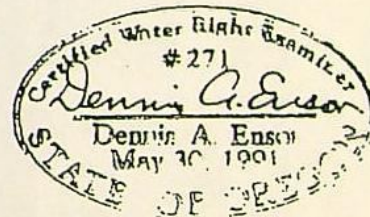
-William Bowman
Revocable Living
Trust Property

LOCATION OF PROPOSED WELL BY OWNER

1400 FEET NORTH AND 200 FEET WEST OF
THE SECTION CORNER BETWEEN 36 AND 1



LANDS THIS APPLICATION



THE PURPOSE OF THIS MAP IS TO IDENTIFY THE
LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED
TO PROVIDE INFORMATION RELATIVE TO THE
LOCATION OF PROPERTY OWNERSHIP BOUNDARY
LINES.

TRU-LINE SURVEYING, INC.
2333 SUMMERS LANE
KLAMATH FALLS, OREGON 97603

Attachment "A"

Organization	OWRD	Date	Water Use Year	Final Use (af)	FM Reading Last Year	FM Reading	FM Multifler	FM Units	FM Rollover Nbr	FM Rollover Value	Final Use Source	Final Use Determined By
OWRD	FIELD SERVICES SECTION	3/7/2003							1	0		
OWNR	WATER USE REPORT	9/30/2003	2003	0.00					1	0	WURP	KARL WOZNIAK
OWNR	WATER USE REPORT	9/30/2004	2004	0.00					1	0	WURP	KARL WOZNIAK
OWNR	WATER USE REPORT	9/30/2008	2008	0.00					1	0	WURP	KARL WOZNIAK
OWRD	FIELD SERVICES SECTION	5/6/2010				24.00	0.01	AF	1	0		
OWRD	FIELD SERVICES SECTION	10/27/2010	2010	191.89	0.00	191.89	0.01	AF	1	0	FM	KARL WOZNIAK
KWPA	GROUNDWATER SECTION	10/31/2010							1	0		
OWRD	FIELD SERVICES SECTION	10/19/2011	2011	0.00	191.89	191.89	0.01	AF	1	0	FM	NED GATES
OWRD	FIELD SERVICES SECTION	10/24/2012	2012	0.00	191.89	191.89	0.01	AF	1	0	FM	JERRY GRONDIN
OWRD	FIELD SERVICES SECTION	10/22/2013	2013	0.00	191.89	191.89	0.01	AF	1	0	FM	NED GATES
OWRD	FIELD SERVICES SECTION	10/24/2014	2014	174.96	191.89	366.85	0.01	AF	1	0	FM	NED GATES
OWRD	FIELD SERVICES SECTION	10/16/2015	2015	105.13	366.85	471.98	0.01	AF	1	0	FM	NED GATES
OWRD	FIELD SERVICES SECTION	10/28/2016	2016	0.00	471.98	471.98	0.01	AF	1	0	FM	NED GATES
OWRD	FIELD SERVICES SECTION	10/25/2017	2017	0.00	471.98	471.98	0.01	AF	1	0	FM	NED GATES
OWRD	FIELD SERVICES SECTION	10/23/2018	2018	0.00	471.98	471.98	0.01	AF	1	0	FM	NED GATES
OWRD	FIELD SERVICES SECTION	10/23/2019	2019	0.24	471.98	472.22	0.01	AF	1	0	FM	THOMAMU
OWRD	FIELD SERVICES SECTION	10/28/2020	2020	0.00	47,222.00	47,222.00	0.01	AF	1	0	FM	NED GATES

2021 e

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JUL 28 2022
OWRD



Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

August 9, 2022

REFERENCE: Application for Extension of Time

Dear Extension of Time Applicant:

The Water Right Services Division has received your application for an extension of time for **APPLICATION FILE #: G-15495 (Permit G-15405)**. Your application will be reviewed in the future. Following the review, you will receive a Proposed Final Order either approving or rejecting the extension of time request. A 45-day protest period begins upon issuance of the Proposed Final Order. After the protest period closes, a Final Order is issued.

You may continue the use of water under your water right until the Water Resources Department formally takes action on your extension application. If your permit includes conditions, water use reporting, water level measurement reporting, etc., you are required to comply with the conditions.

Any additional development that occurs after the expired completion date, identified on the permit or an extension order, can only be claimed upon an approved extension application.

If you have questions concerning your extension of time application, please contact Jeffrey Pierceall at (503) 979-3213. For general information about the Water Resources Department, you may contact the Water Resources' Customer Service Group at (503) 986-0801 or you may access the Department's website at: www.wrd.state.or.us.

Routing Slip

Oregon Water Resources Department

Water Rights Service Division

Date: 7-29-2022

File: A-15495

Subject/Process: Assign.

From: Mary B.

Note 2 ps. assign form ☺

ACTION	DATE
TO: Tonya - Pls. scan & copy for file Map in Color. Also pls. return file to me when done.	THX! Mary
TO: SELF - Forward to Jounine. TT her about removing HOLD from workflow.	
TO: Jonnic - Hi there, hoping we can talk about this one & possibly update	
TO: workflow HOLD. Holders of record have hired Atkins Engineering & are pursuing	
their options THX! M	



Oregon

Kate Brown, Governor

Water Resources Department
North Mall Office Building
725 Summer St NE, Ste A
Salem, OR 97301
Phone: 503-986-0900
Fax: 503-986-0904
www.Oregon.gov/OWRD

July 29, 2022

Aspen West, LLC
Attn: Criss Duncan
PO Box 64
Malin, OR 97632

Reference: Application G-15495, Permit G-15405

The partial assignment by proof from Jo Ann Wollenhorst-Russ and Rudolph Paygr to Criss Duncan has been recorded in the records of the Water Resources Department.

The Departments records will now show Criss Duncan and William Bowman Revocable Living Trust as the permit holders of record.

Our records have been changed accordingly and the original request is enclosed. Receipt number 138726 covering the recording fee is also enclosed.

A permit is not a perfected water right, and has conditions and timelines that must be satisfied prior to a Certificate of Water Right being issued. Please review the permit to be familiar with the conditions and timelines contained in the permit.

Please note that this permit required complete application of water to the proposed use by October 1, 2007, and within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE). The Department was notified on July 21, 2022, that Adkins Engineering and Surveying has been retained to complete the claim.

Sincerely,

Mary F. Bjork
Water Rights Program Analyst
Water Right Services Division

Enclosure: Original Request and Receipt #138726

cc: William Bowman Farms - 26112 Paygr Rd, Malin, OR 97632
Adkins Engineering & Surveying, Attn: Bryce McKinney - 1435 Esplanade Ave., Klamath Falls, OR 97601
Data Center, OWRD (cover letter, request & map)
File



RECEIVED

JUL 22 2022



Oregon Water Resources Department
725 Summer Street NE, Salem, Oregon 97301-1726
(503) 596-6000
www.oregon.gov/owrd/

RECEIVED

JUN 27 2022

OWRD

Request for Assignment By Proof of Ownership (If Water Right Holder is Not Available)

OWNED

If the Department determines that the application is incomplete, fees have not been paid, or the required documents are not acceptable, the application and all fees submitted will be returned to the applicant.

If for multiple rights, a separate form and fee for each right will be required.

CRISS DUNCAN
(Name of Party Requesting Assignment)
P.O. Box 64 HAZEL OR 97632
(Mailing Address) (City) (State) (Zip) (Phone #)

- hereby request assignment of an entire application/permit/transfer order/limited license/groundwater statement;
- hereby request assignment of a portion of application/permit/transfer order/limited license/groundwater statement; (You must include a map showing the portion of the application/permit/transfer order/limited license/groundwater statement to be assigned.)

Application # G15495 ; Permit # G15405 ; Transfer Order # _____
Limited License # _____ ; Groundwater Statement # _____

REIDRICH PAYSON / JO ANN WOODS/ROBERT - RUSSELL / WILLIAM BOWMAN / DISCRETIONARY TRUST
(Name of Current Holder of Record)
2612 PAYSON RD. HAZEL OR 97632
(Mailing Address) (City) (State) (Zip) (Phone #)

Note: Write the initials (first letters) of your first and last names at the spots indicated below _____

- 1) CD I certify that I am the current owner of the property described in this application, permit, transfer order, limited license, or groundwater statement. I have attached proof of ownership that may include but not be limited to: a copy of the deed to the land, a copy of a land sales contract, a court order or decree, documentation of survivorship of property held jointly. The Department cannot accept a copy of a tax statement.
- 2) CD I have the legal right to request assignment under OAR 690-310-0230 and 690-320-0060.
- 3) _____ I have not been able to contact the owner(s) of record for the above referenced transaction. I have attached proof acceptable to the Department that notice of the assignment has been given or attempted for each identified property owner not a party to the assignment. ORE 557.220(2) Failure to submit this proof will result in the return of your request. (Proof may include but not be limited to: a copy of returned certified mailing, copy of a Death Certificate, or a court order.)
- 4) CD I further certify that the information provided here is true and correct to the best of my knowledge.

Witness my hand this 14 day of July 20 22
(Day) (Month) (Year)

Signature of Party Requesting Assignment

Failure to provide any of the required information will result in the return of your application.

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon.
Fee receipt # 138726 PJ.1
For Director by Mary F. Bjork, Program Analyst in Water Rights Division. MFB

The completed "Request for Assignment" form must be submitted to the Department along with the recording fee of \$120.

Part. assign by proof - approve
WFB 7-29-2022

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **138726**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Aspen West, LLC

APPLICATION	G-15495
PERMIT	
TRANSFER	

BY: _____

CASH: CHECK:# File 6 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 120.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407	COPIES		\$
	OTHER: (IDENTIFY)		\$
0243	I/S Lease		
	0244 Muni Water Mgmt. Plan		
	0245 Cons. Water		

4270 WRD OPERATING ACCT

MISCELLANEOUS			
0407	COPY & TAPE FEES		\$
0410	RESEARCH FEES		\$
0408	MISC REVENUE: (IDENTIFY)		\$
TC162	DEPOSIT LIAB. (IDENTIFY)		\$
0240	EXTENSION OF TIME		\$
WATER RIGHTS:			
0201	SURFACE WATER	EXAM FEE	RECORD FEE
0203	GROUND WATER	\$	0202 \$
0205	TRANSFER	\$	0204 \$
WELL CONSTRUCTION			
0218	WELL DRILL CONSTRUCTOR	EXAM FEE	LICENSE FEE
	LANDOWNER'S PERMIT	\$	0219 \$
			0220 \$
<u>0250</u>	OTHER (IDENTIFY) <u>Assignment</u>		\$ <u>120.00</u>

0536 TREASURY 0437 WELL CONST. START FEE

0211	WELL CONST START FEE	\$	CARD#
0210	MONITORING WELLS	\$	CARD#
	OTHER (IDENTIFY)		

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233	POWER LICENSE FEE (FW/WRD)		\$
0231	HYDRO LICENSE FEE (FW/WRD)		\$
	HYDRO APPLICATION		\$

TREASURY OTHER / RDX

FUND _____ TITLE _____
 OBJ. CODE _____ VENDOR # _____
 DESCRIPTION _____ \$ _____

RECEIPT: **138726**

DATED: 07/22/22 BY: _____

RECEIVED

JUL 22 2022



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.oregon.gov/owrd

Request for Assignment
By Proof of Ownership
(If Water Right Holder is Not Available)

OWRD

If the Department determines that the application is incomplete, fees have not been paid, or the required documents are not acceptable, the application and all fees submitted will be returned to the applicant.

If for multiple rights, a separate form and fee for each right will be required.

I, CRISS DUNCAN
(Name of Party Requesting Assignment)
P.O. Box 64 MAUN OR 97632
(Mailing Address) (City) (State) (Zip) (Phone #)

- hereby request assignment of an entire application/permit/transfer order /limited license/groundwater statement;
hereby request assignment of a portion of application/permit/transfer order/limited license/groundwater statement;
(You must include a map showing the portion of the application/permit/ transfer order /limited license/groundwater statement to be assigned.)

Application # G15495 ; Permit # G15405 ; Transfer Order # ;
Limited License # ; Groundwater Statement # ;

RUDOLPH PAYGR / JO ANN HULLENHURST - RUSS / WILLIAM BONMAN REVOCAURE LIVING TRUST
(Name of Current Holder of Record)
26112 PAYGR RD., MAUN OR 97632
(Mailing Address) (City) (State) (Zip) (Phone #)

Note: Write the initials (first letters) of your first and last names at the spots indicated below

- 1) CD I certify that I am the current owner of the property described in this application, permit, transfer order, limited license, or groundwater statement. I have attached proof of ownership that may include but not be limited to: a copy of the deed to the land, a copy of a land sales contract, a court order or decree, documentation of survivorship of property held jointly. The Department cannot accept a copy of a taxstatement.
2) CD I have the legal right to request assignment under OAR 690-310-0280 and 690-320-0060.
3) I have not been able to contact the owner(s) of record for the above referenced transaction. I have attached proof acceptable to the Department that notice of the assignment has been given or attempted for each identified property owner not a party to the assignment. ORS 537.220(2) Failure to submit this proof will result in the return of your request. (Proof may include but not be limited to: a copy of returned certified mailing, copy of a Death Certificate, or a court order.)
4) CD I further certify that the information provided herein is true and correct to the best of my knowledge.

Witness my hand this 14 day of July, 2022
(Day) (Month) (Year)

Signature of Party Requesting Assignment
Failure to provide any of the required information will result in the return of your application.

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon. Fee receipt # 158724 PS.2 For Director by Mary F. Bjork, Program Analyst in Water Rights Division. MFB

The completed "Request for Assignment" form must be submitted to the Department along with the recording fee of \$120.

part. assign by proof - approve
MFB 7-29-2022

MAP TO ACCOMPANY GROUND WATER APPLICATION

SITUATED IN THE SE1/4 OF SECTION 36, T40S, R1E1W
 AND THE NE1/4 OF THE NE1/4 OF SECTION 1, T41S,
 R1E1W, KLAMATH COUNTY, OREGON
 APRIL, 2001

RECEIVED

FEB 07 2002

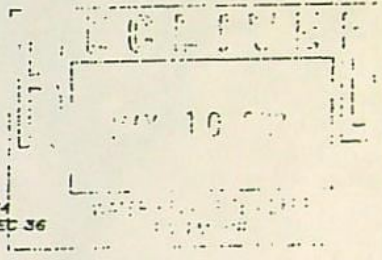
WATER RESOURCES DEPT.
 SALEM, OREGON

Application No. **G 15495**
 Permit No. **G-05405**

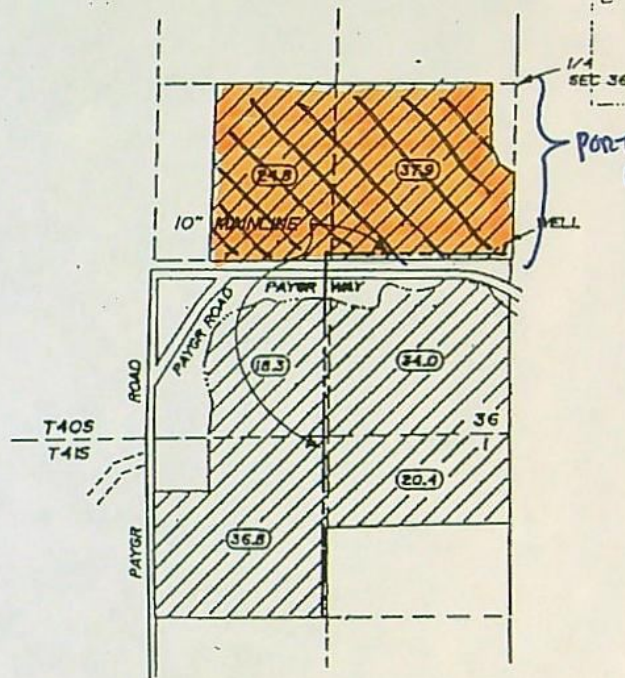
MAP PREPARED FOR
RAYMOND RUSS &
JO ANNE WALLENHORST-RUSS

MAP PREPARED FROM
 --ASSESSORS MAP--

--RUDOLPH & MARY PAYGR--



SCALE
 1" = 1320'



PORTION TO
 BE ASSIGNED.

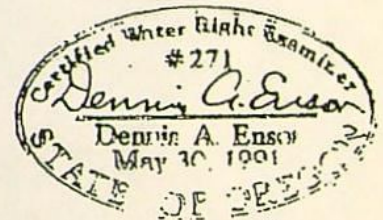
TOTAL AREA
 THIS APPLICATION
 --172.2 Ac.--

LOCATION OF PROPOSED WELL BY OWNER

1400 FEET NORTH AND 200 FEET WEST OF
 THE SECTION CORNER BETWEEN 36 AND 1



LANDS THIS APPLICATION



THE PURPOSE OF THIS MAP IS TO IDENTIFY THE
 LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED
 TO PROVIDE INFORMATION RELATIVE TO THE
 LOCATION OF PROPERTY OWNERSHIP BOUNDARY
 LINES.

TRU-LINE SURVEYING, INC.
 2333 SUMMERS LANE
 KLAMATH FALLS, OREGON 97603

RECEIVED

JUL 22 2002

OWRD

I, Criss Duncan, have given a copy of this Notice of Assignment to William Bowman, on July 19, 2022, by U.S. Mail. The other parties (Rudoply Paygr and JoAnn Wollenhurst) are deceased.



RECEIVED

JUL 22 2022

OWRD



THIS SPACE RESERVED FOR

2018-015430
Klamath County, Oregon
12/28/2018 10:02:01 AM
Fee: \$87.00

RECEIVED
JUL 22 2022

OWRD

After recording return to:
Criss Duncan
P.O. Box 64
Malin, OR 97632

Until a change is requested all tax statements shall be sent to the following address:
Criss Duncan
P.O. Box 64
Malin, OR 97632
File No. 271650AM

STATUTORY WARRANTY DEED

Eileen L. Wallenhorst,
Grantor(s), hereby convey and warrant to

Criss Duncan,
Grantee(s), the following described real property in the County of Klamath and State of Oregon free of encumbrances except as specifically set forth herein:

PARCEL 1

Unsurveyed Parcel 1 of Land Partition 35-10 situated in the N1/2 SE1/4 of Section 36, Township 40 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon March, 2011 for Lawful Creation, recorded April 20, 2011, more particularly described as follows:

The N1/2 SE1/4 of Section 36, Township 40 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon.

EXCEPTING THEREFROM the West 435 feet of the NW1/4 SE1/4 of said Section 36.

PARCEL 2

A portion of the S1/2 SE1/4 of Section 36, Township 40 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point that is 647.40 feet East of the Southwest corner of the NW1/4 SE1/4 of Section 36, Township 40 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon; thence East (along the 1/16 line) approx 1992.6 feet to the section line common to Section 36 and Section 6; thence South approx 200 feet to the Northerly right of way line of Paygr Way (County Road 1113); thence Westerly along the Northerly right of way line of Paygr Way (County Road 1113) to a point that is 65 feet South of the point of beginning; thence North 65 feet to the point of beginning.

The true and actual consideration for this conveyance is \$216,000.00.
The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

87

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 21 day of December, 2018

Eileen L Wallenhorst
Eileen L Wallenhorst

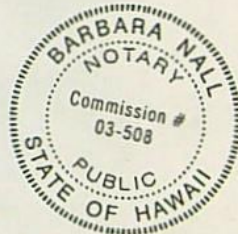
State of Hawaii) ss
County of Honolulu)

On this 21 day of December, 2018, before me, Barbara Nall a Notary Public in and for said state, personally appeared Eileen L. Wallenhorst known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Barbara Nall
Notary Public for the State of Hawaii
Residing at: Kaunohi
Commission Expires: 9-01-2019



Doc. Date: - # Pages: 2
Notary Name: Barbara Nall First Circuit
Doc. Description: Statutory
Warranty Deed
Barbara Nall 12-21-18
Notary Signature Date



RECEIVED

JUL 22 2022

OWRD

Business Name Search

[New Search](#) [Printer Friendly](#) **Business Entity Data**

07-29-2022
09:53

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
1344159-91	DLLC	ACT	OREGON	07-19-2017	07-19-2022	YES
Entity Name ASPEN WEST, LLC						
Foreign Name						

work copy

Online Renewal:

[Renew Online](#)

[Click here to generate and print an annual report.](#)

[New Search](#) [Printer Friendly](#) **Associated Names**

Type	PPB	PRINCIPAL PLACE OF BUSINESS			
Addr 1	8958 PAYGR RD				
Addr 2					
CSZ	MALIN	OR	97632	Country	UNITED STATES OF AMERICA

Please click [here](#) for general information about registered agents and service of process.

Type	AGT	REGISTERED AGENT		Start Date	06-19-2018	Resign Date	
Name	CRISS		DUNCAN				
Addr 1	8958 PAYGR RD						
Addr 2							
CSZ	MALIN	OR	97632	Country	UNITED STATES OF AMERICA		

Type	MAL	MAILING ADDRESS			
Addr 1	PO BOX 64				
Addr 2					
CSZ	MALIN	OR	97632	Country	UNITED STATES OF AMERICA






Type	MEM	MEMBER			Resign Date		
Name	CRISS		DUNCAN				
Addr 1	8958 PAYGR RD						
Addr 2							

[New Search](#) [Printer Friendly](#) Name History

Business Entity Name	Name Type	Name Status	Start Date	End Date
ASPEN WEST, LLC	EN	CUR	07-19-2017	

Please [read](#) before ordering [Copies](#).

[New Search](#) [Printer Friendly](#) Summary History

Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
	AMENDED ANNUAL REPORT	06-29-2021		FI		
	AMENDED ANNUAL REPORT	07-29-2020		FI		
	AMENDED ANNUAL REPORT	07-17-2019		FI		
	AMENDED ANNUAL REPORT	06-19-2018		FI	Agent	
	ARTICLES OF ORGANIZATION	07-19-2017		FI	Agent	

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For comments or suggestions regarding the operation of this site, please contact : corporation.division@sos.oregon.gov

BJORK Mary F * WRD

From: Criss Duncan <ccduncan71@gmail.com>
Sent: Wednesday, July 27, 2022 8:42 AM
To: BJORK Mary F * WRD
Cc: Criss Duncan
Subject: Signed copy..
Attachments: signed copy.png

Morning Mary! Please find attached..

RECEIVED

JUL 22 2022



Oregon Water Resources Department
725 Summer Street, NE, Salem, Oregon 97301-1765
(503) 536-6900
www.oregon.gov/owrd

RECEIVED

JUN 27 2022

OWRD

Request for Assignment By Proof of Ownership (If Water Right Holder is Not Available)

If the Department determines that the application is incomplete, fees have not been paid, or the required documents are not acceptable, the application and all fees submitted will be returned to the applicant.

If for multiple rights, a separate form and fee for each right will be required.

CRISS DUNCAN
(Name of Party Requesting Assignment)
P.O. Box 64 HAZEN OR 97632
(Mailing Address) (City) (State) (Zip) (Phone #)

- hereby request assignment of an entire application/permit/transfer order/limited license/groundwater statement;
- hereby request assignment of a portion of application/permit/transfer order/limited license/groundwater statement; (You must include a map showing the portion of the application/permit/transfer order/limited license/groundwater statement to be assigned.)

Application # G15495 ; Permit # G15405 ; Transfer Order # _____

Limited License # _____ ; Groundwater Statement # _____

RUDOLPH PASER / JO ANN WOLFGANGSST-RUSS / WILLIAM BOWMAN / RICHARD BUTLER TRUST
(Name of Current Holder of Record)
26112 PASER RD. HAZEN OR 97632
(Mailing Address) (City) (State) (Zip) (Phone #)

Note: Write the initials (first letters) of your first and last names at the spots indicated below _____

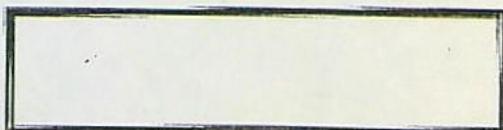
- 1) CD I certify that I am the current owner of the property described in the application, permit, transfer order, limited license, or groundwater statement. I have attached proof of ownership that may include but not be limited to: a copy of the deed to the land, a copy of a land sales contract, a court order or decree, documentation of survivorship of property held jointly. The Department cannot accept a copy of a tax statement.
- 2) CD I have the legal right to request assignment under OAR 690-310-0280 and 690-320-0060.
- 3) _____ I have not been able to contact the owner(s) of record for the above referenced transaction. I have attached proof acceptable to the Department that notice of the assignment has been given or attempted for each identified property owner not a party to the assignment. ORS 537.220(2) Failure to submit this proof will result in the return of your request. (Proof may include but not be limited to: a copy of returned certified mailing, copy of a Death Certificate, or a court order.)
- 4) CD I further certify that the information provided herein is true and correct to the best of my knowledge.

Witness my hand this 14 day of July 20 22
(Day) (Month) (Year)

Signature of Party Requesting Assignment

Failure to provide any of the required information will result in the return of your application.

DO NOT WRITE IN THIS BOX



The completed "Request for Assignment" form must be submitted to the Department along with the recording fee of \$120.

BJORK Mary F * WRD

From: BJORK Mary F * WRD
Sent: Monday, July 25, 2022 8:10 AM
To: Criss C. Duncan
Cc: PIERCEALL Jeffrey D * WRD; CLARK Gerald E * WRD; SKAUG Jonnine L * WRD; Justin Throne (justinthrone@yahoo.com); Dan Scalas; Bryce McKinney; BJORK Mary F * WRD
Subject: RE: Permit G-15405
Categories: Red Category

Hi Criss,

Thanks for the correspondence that you have retained Adkins to work on this permit. I have copied this information to electronic files and will update the paper file when I'm in the office tomorrow.

Best Regards,

Mary F. Bjork

Water Rights Program Analyst
 Oregon Water Resources Department
 725 Summer St NE, Suite A, Salem OR 97301 | Cell 503-979-9895



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

From: Criss C. Duncan <ccduncan@aspenefs.com>
Sent: Friday, July 22, 2022 3:02 PM
To: PIERCEALL Jeffrey D * WRD <Jeffrey.D.PIERCEALL@water.oregon.gov>
Cc: CLARK Gerald E * WRD <Gerald.E.CLARK@water.oregon.gov>; BJORK Mary F * WRD <Mary.F.BJORK@water.oregon.gov>; Justin Throne (justinthrone@yahoo.com) <justinthrone@yahoo.com>; Dan Scalas <DScalas@adkinsengineering.com>; Bryce McKinney <BMcKinney@adkinsengineering.com>; SKAUG Jonnine L * WRD <Jonnine.L.SKAUG@water.oregon.gov>
Subject: Re: Permit G-15405

Absolutely, thank you..

On Fri, Jul 22, 2022, 2:30 PM PIERCEALL Jeffrey D * WRD <Jeffrey.D.PIERCEALL@water.oregon.gov> wrote:

Thank you Criss.

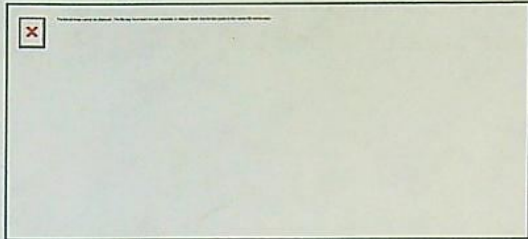
Jeffrey D. Pierceall

Extension Specialist

Oregon Water Resources Department

503-979-3213

Jeffrey.D.Pierceall@water.oregon.gov



From: CLARK Gerald E * WRD <Gerald.E.CLARK@water.oregon.gov>
Sent: Friday, July 22, 2022 12:59 PM
To: 'Criss C. Duncan' <ccduncan@aspeneffs.com>
Cc: BJORK Mary F * WRD <Mary.F.BJORK@water.oregon.gov>; Justin Throne (justinthrone@yahoo.com) <justinthrone@yahoo.com>; Dan Scalas <DScalas@adkinsengineering.com>; Bryce McKinney <BMcKinney@adkinsengineering.com>; PIERCEALL Jeffrey D * WRD <Jeffrey.D.PIERCEALL@water.oregon.gov>; SKAUG Jonnine L * WRD <Jonnine.L.SKAUG@water.oregon.gov>
Subject: RE: Permit G-15405

Criss,

I am not sure what my coworkers schedules are today, so I am passing your message along to both Jeffrey and to Jonnine.

Have a great afternoon and weekend!

Gerry

Gerry Clark

He/Him/His

Oregon Water Resources Department

Program Analyst, Certificate Section, Water Right Services Division

From: Criss C. Duncan <ccduncan@aspeneffs.com>
Sent: Friday, July 22, 2022 12:09 PM
To: Bryce McKinney <BMcKinney@adkinsengineering.com>
Cc: BJORK Mary F * WRD <Mary.F.BJORK@water.oregon.gov>; CLARK Gerald E * WRD <Gerald.E.CLARK@water.oregon.gov>; Justin Throne (justinthrone@yahoo.com) <justinthrone@yahoo.com>; Dan Scalas <DScalas@adkinsengineering.com>
Subject: Re: Permit G-15405

Thank you Bryce..

Mary, if you could please pass this on to Jeffrey Pierceall regarding the extension, and that we have retained Adkins to work on this permit and beneficiary use, I would sure appreciate it..

Sincerely,

Criss Duncan

5419418253 (cell)

On Thu, Jul 21, 2022, 10:11 AM Bryce McKinney <BMcKinney@adkinsengineering.com> wrote:

Good morning Mary,

We've been retained by the water user for Permit G-15405 to complete their Claim of Beneficial Use.

Thanks,

o / 541.884.4666

BJORK Mary F * WRD

From: BJORK Mary F * WRD
Sent: Monday, June 27, 2022 3:06 PM
To: Criss Duncan
Cc: Justin Throne; BJORK Mary F * WRD
Subject: RE: Criss Duncan, Well Permit G-15495
Attachments: Assign_by_proof (2).pdf

Categories: Red Category

Hi Criss,

Thanks for your interest in the Assignment process and the following steps needed to become a permit holder of record on Application G-15495, Permit G-15495. *G-15495*

- Submit a completed Request for Assignment by Proof of Ownership Form (attached) and the required \$120 fee. As discussed, the by proof assignment form is required because current permit holders of record, Jo Ann Wollenhorst-Russ and Rudolph Paygr are not available to sign the assignment form. Additionally, this is a partial assignment because you own a portion of the property covered by the permit.
- Partial assignments require a map indicating the portion of the permit to be assigned.
- By proof assignments require proof that you own the property (see #1 on the assignment form for examples). They also require proof that you are unable to contact Ann Wollenhorst-Russ and Rudolph Paygr (see #3 on the assignment form for examples).

We also discussed the Extension process. Please contact Jeffrey Pierceall (503-979-3213) with specific questions on extensions.

The District 17 Watermaster is Dani Watson (541-883-4182 or 541-891-4631), email Danette.M.Watson@water.oregon.gov.

Please let me know if you have any additional questions.

Mary F. Bjork

Water Rights Program Analyst
 Oregon Water Resources Department
 725 Summer St NE, Suite A, Salem OR 97301 | Cell 503-979-9895



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NOTE: OWRD offices re-open to the public on Monday, May 2, 2022. Given that many staff continue to work remotely or have job duties that take them into the field on a regular basis, availability of staff in the office is not guaranteed 8 a.m. - 5 p.m. every day. **Customers and visitors are encouraged to schedule an appointment in advance if they wish to meet in person with specific staff members.** Alternative methods for meeting, such as by phone or virtually via Teams, are also available.

From: Criss Duncan <ccduncan71@gmail.com>
Sent: Monday, June 27, 2022 2:29 PM
To: BJORK Mary F * WRD <Mary.F.BJORK@water.oregon.gov>
Cc: Justin Throne <justinthrone@yahoo.com>
Subject: Criss Duncan, Well Permit G-15495

Hello Mary,

Thank you again for your time today and very thorough information and clarifications.

I am copying Justin on this email who is assisting me with this process.

Regards,

-Criss
5419418253 (cell)

BJORK Mary F * WRD

From: BJORK Mary F * WRD
Sent: Tuesday, May 31, 2022 11:04 AM
To: ANGELL Michelle A * WRD
Cc: PIERCEALL Jeffrey D * WRD; SKAUG Jonnine L * WRD; BJORK Mary F * WRD
Subject: RE: Permit G-15405

Hi Michelle,

Thanks for the correspondence on this file. I'm copying Jonnine Skaug who sent the 60-day letter, and Jeffrey Pierceall who works on extension. Information on the extension mailing within the next 2 weeks and plan to pursue a Permit amendment has been copied to both paper and electronic files. If there should be a delay in William's timelines, please let us know.

Best Regards,

Mary F. Bjork

Water Rights Program Analyst

725 Summer St NE, Suite A, Salem OR 97301 | Phone 503-979-9895



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From: ANGELL Michelle A * WRD <Michelle.A.ANGELL@water.oregon.gov>
Sent: Tuesday, May 31, 2022 10:32 AM
To: BJORK Mary F * WRD <Mary.F.BJORK@water.oregon.gov>
Subject: Permit G-15405

Mary,

I will be helping William Bowman with his extension of time for this permit. So he can do a Permit amendment. The extension will be mailed within the next 2 weeks.

Is this enough information on the behalf of Mr. Bowman?

If you have any questions please call!

Have a great day!

Thank-you
Michelle Angell

541-883-4182

BJORK Mary F * WRD

Talked to Michelle 5-31-2022

From: ANGELL Michelle A * WRD
Sent: Tuesday, May 31, 2022 9:57 AM
To: BJORK Mary F * WRD
Subject: permit G-15405

Mary,

William Bowman came in, in a panic. Your letter wasn't post marked until 5/19/2022 and your deadline in the letter is June 1, 2022. He talked to Adkin engineering about doing his CBU and they are behind and told him it would be awhile. So should he do a extension of time? He needs to add a POA for the WR, because the owner of the other parcel where the well is located won't let Mr. Bowman use the well. Please let me know what he needs todo.

If you have any questions please call!

Have a great day!

Thank-you
Michelle Angell
District #17

541-883-4182

BJORK Mary F * WRD

From: Bryce McKinney <BMcKinney@adkinsengineering.com>
Sent: Thursday, July 21, 2022 10:11 AM
To: BJORK Mary F * WRD
Cc: CLARK Gerald E * WRD; Criss Duncan; Justin Throne (justinthrone@yahoo.com); Dan Scalas
Subject: Permit G-15405
Importance: High

Good morning Mary,

We've been retained by the water user for Permit G-15405 to complete their Claim of Beneficial Use.

Thanks,



Bryce McKinney
Environmental Scientist

o / 541.884.4666
m / 503.737.4655
a / 1435 Esplanade Ave, Klamath Falls, OR 97601
w / AdkinsEngineering.com



Oregon

Kate Brown, Governor

Water Resources Department
North Mall Office Building
725 Summer St NE, Ste A
Salem, OR 97301
Phone: 503-986-0900
Fax: 503-986-0904
www.Oregon.gov/OWRD

April 21, 2022

William Bowman Farms
26112 Paygr Rd
Malin, OR 97632

Reference: Application G-15495, Permit G-15405

The partial assignment by proof from Jo Ann Wollenhorst-Russ and Rudolph Paygr to William Bowman Revocable Living Trust has been recorded in the records of the Water Resources Department.

The Departments records will now show Jo Ann Wollenhorst-Russ, Rudolph Paygr, and William Bowman Revocable Living Trust as the permit holders of record.

Our records have been changed accordingly and the original request is enclosed. Receipt number 137914 covering the recording fee is also enclosed.

A permit is not a perfected water right, and has conditions and timelines that must be satisfied prior to a Certificate of Water Right being issued. Please review the permit to be familiar with the conditions and timelines contained in the permit.

Please note that this permit required complete application of water to the proposed use by October 1, 2007, and within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE). As of this date, the claim of beneficial use has not been received by the Department. Cancellation proceedings were started with the mailing of a 60-day letter. Currently a 60-day hold action deadline is in place until June 1, 2022.

Sincerely,

Mary F. Bjork
Water Rights Program Analyst
Water Right Services Division

Enclosure: Original Request and Receipt #137914

cc: Duncan Criss – PO Box 64, Malin, OR 97632
Data Center, OWRD (cover letter, request & maps)
File

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **137914**

INVOICE # _____

RECEIVED FROM: William Bowman Farms

APPLICATION G-15495

BY: _____

PERMIT _____
TRANSFER _____

CASH: CHECK:# 1979 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 120.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
OTHER: (IDENTIFY) _____ \$ _____
0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS 46111

0407 COPY & TAPE FEES \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) _____ \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) _____ \$ _____
0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

EXAM FEE	
\$ _____	0202
\$ _____	0204
\$ _____	

RECORD FEE

\$ _____	
\$ _____	

WELL CONSTRUCTION

EXAM FEE	
\$ _____	0219
	0220

LICENSE FEE

\$ _____	
\$ _____	

0250 OTHER (IDENTIFY) Assignment \$ 120.00

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD# _____
0210 MONITORING WELLS \$ _____ CARD# _____
OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$ _____
0231 HYDRO LICENSE FEE (FW/WRD) \$ _____
HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ \$ _____

RECEIPT: **137914**

DATED: 4-14-2022 BY: Mindy Carlisle

Request for Assignment By Proof of Ownership (If Water Right Holder is Not Available)



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.oregon.gov/owrd

If the Department determines that the application is incomplete, fees have not been paid, or the required documents are not acceptable, the application and all fees submitted will be returned to the applicant.

If for multiple rights, a separate form and fee for each right will be required.

I, William Bowman Revocable Living Trust
(Name of Party Requesting Assignment)
26112 Paygr Rd Main, OR 97632
(Mailing Address) (City) (State) (Zip) (Phone #)

- hereby request assignment of an entire application/permit/transfer order /limited license/groundwater statement;
- hereby request assignment of a portion of application/permit/transfer order/limited license/groundwater statement;
(You must include a map showing the portion of the application/permit/ transfer order /limited license/groundwater statement to be assigned.)

Application # G-15495 ; Permit # G-15405 ; Transfer Order # _____;

Limited License # _____ ; Groundwater Statement # _____;

Joann Wallenhorst - Russ - Rudolph Paygr
(Name of Current Holder of Record)
17823 Country Rd 85 B Eureka, CA 95627
(Mailing Address) (City) (State) (Zip) (Phone #)

Note: Write the initials (first letters) of your first and last names at the spots indicated below _____.

- 1) WBS I certify that I am the current owner of the property described in this application, permit, transfer order, limited license, or groundwater statement. I have attached proof of ownership that may include but not be limited to: a copy of the deed to the land, a copy of a land sales contract, a court order or decree, documentation of survivorship of property held jointly. The Department cannot accept a copy of a tax statement.
- 2) WBS I have the legal right to request assignment under OAR 690-310-0280 and 690-320-0060.
- 3) WBS I have not been able to contact the owner(s) of record for the above referenced transaction. I have attached proof acceptable to the Department that notice of the assignment has been given or attempted for each identified property owner not a party to the assignment. ORS 537.220(2) Failure to submit this proof will result in the return of your request. (Proof may include but not be limited to: a copy of returned certified mailing, copy of a Death Certificate, or a court order.)
- 4) WBS I further certify that the information provided herein is true and correct to the best of my knowledge.

Witness my hand this 17 day of April, 2022.
(Day) (Month) (Year)

Signature of Party Requesting Assignment William E. Bowman
Failure to provide any of the required information will result in the return of your application.

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon.
Fee receipt # 137914
For Director by Mary F. Bjork, Program Analyst in Water Rights Division. MFB

The completed "Request for Assignment" form must be submitted to the Department along with the recording fee of \$120.

RECEIVED

APR 19 2022

part assign by proof - Approve
WBS 4-26-2022

MAP TO ACCOMPANY GROUND WATER APPLICATION

SITUATED IN THE SE1/4 OF SECTION 36, T40S, R1E1W,
AND THE NE1/2 OF THE NE1/4 OF SECTION 1, T41S,
R1E1W, KLAMATH COUNTY, OREGON
APRIL, 2001

RECEIVED

FEB 07 2002

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. *915495*
Permit No. *6-05405*

MAP PREPARED FOR

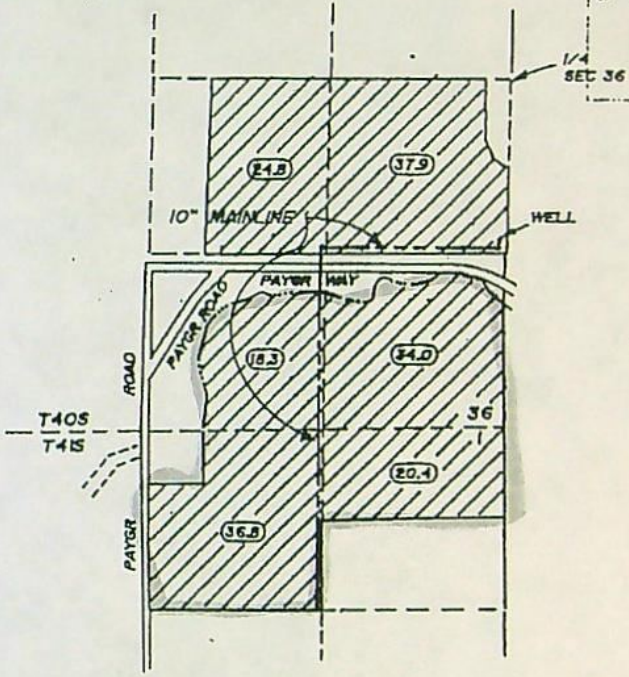
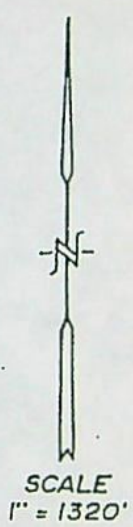
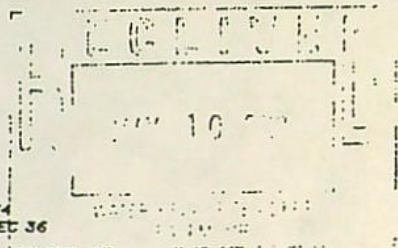
RAYMOND RUSS &

JO ANNE WALLENHORST-RUSS

MAP PREPARED FROM

--ASSESSORS MAP--

--RUDOLPH & MARY PAYGR--



TOTAL AREA
THIS APPLICATION
--172.2 Ac.--

RECEIVED

APR 19 2002

OWRD

LOCATION OF PROPOSED WELL BY OWNER

1400 FEET NORTH AND 200 FEET WEST OF
THE SECTION CORNER BETWEEN 36 AND 1



LANDS THIS APPLICATION



THE PURPOSE OF THIS MAP IS TO IDENTIFY THE
LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED
TO PROVIDE INFORMATION RELATIVE TO THE
LOCATION OF PROPERTY OWNERSHIP BOUNDARY
LINES.

TRU-LINE SURVEYING, INC.
2333 SUMMERS LANE
KLAMATH FALLS, OREGON 97603

SECTION 36 T.40S. R.11E. W.M.
KLAMATH COUNTY

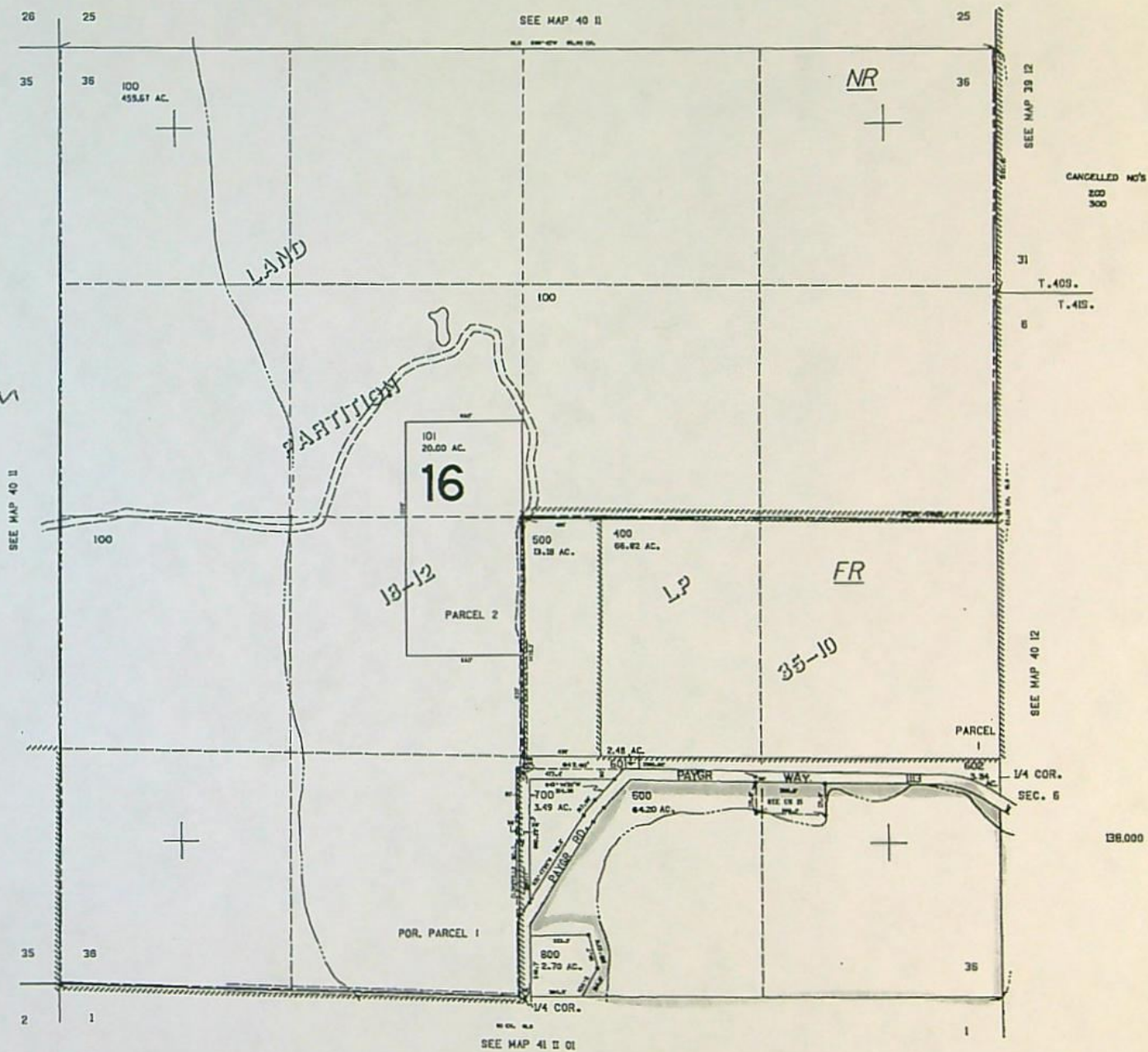
40 11 36

REVISED 03-26-13
THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

1"=400'

T40S R11E
SEC 36
Tax lot 600
William Bowman

RECEIVED
APR 19 2022
OWRD



734,000

40 11 36

April 7, 2022

Duncan Criss
PO Box 64
Malin, OR 97632

RECEIVED

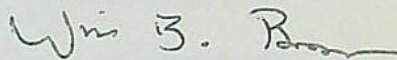
APR 14 2022

OWRD

Dear Mr Criss

I am notifying you that I am filing a "Request for Assignment" or water right Permit G-15404 with the Oregon Water Resources Department. This will be putting my land & my name on a portion of this water right. You can do the same for your land.

Sincerely,



William Bowman

mailed 4/7/2022



Oregon

Kate Brown, Governor

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APR 14 2022

OWRD

Water Resources Department
South Central Region
Watermaster, District 17
305 Main Street
Klamath Falls, OR 97601
Phone: 541-883-4182
www.oregon.gov/owrd

April 12, 2022

Mary Bjork

Re: Request for assignment for Permit G-15405

Dear Mary

I have looked online (goggle) to locate the 2 people on this permit. What I found is that they are both deceased. (attached obit paperwork). If you need anything else, please let me know.

Thank-you

Michelle Angell

District #17

305 Main St

Klamath Falls, OR 97601

Michelle.A.Angell@water.oregon.gov

Jo Anne Wallenhorst
Lives in Malin, Oregon

[People](#) / [W](#) / [Wallenhorst](#) / [Jo Wallenhorst](#) / [OR](#) / [Malin](#)

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OWRD

Jo Anne Wallenhorst Death Record September 2017 (age 67)

Full Background Report Available → Ad



Also Known As

[Joanne A Wallenhorst](#), [Jo Anne Russ](#), [Jo A Wallenhorstruss](#), [Jo Anne Wallenhorst-russ](#),
[Jo Anne W Ru](#), [Joanne W Russ](#), [Jo W Ru](#), [Jo A Wallenhorst-rus](#), [Joanne Anne Russ](#),
[Joanne Wallenhorstruss](#)



Current Address

[PO Box 126](#)
[Malin, OR 97632](#)
Klamath County
(Jan 2013 - Apr 2022)



Phone Numbers

[\(541\) 887-7377](#) - Wireless
Last reported Jan 2022
[\(530\) 787-3441](#) - Landline
Last reported May 1999



Background Report Sponsored Link

- Arrest Records
- Court Records
- Marriage & Divorce Records
- Bankruptcies, Judgments, Liens
- Search Warrants
- Criminal Records Data
- Property Records
- Current and Past Contact Info
- Reverse Phone Lookups
- Age
- Addresses and Phone Numbers
- Relatives and Associates
- Public Records Data
- Complete Background Check

View Background Report

Sponsored Links



Email Addresses

cosar1@hotmail.com



Previous Addresses

1250 Charity Ln
Dixon, CA 95620
Solano County
(Dec 1969 - Jan 2021)

17823 County Road 85b
Esparto, CA 95627
Yolo County
(May 1999 - Jan 2021)

17515 Harpold Rd
Malin, OR 97632
Klamath County
(Jan 2011 - Jan 2021)

21197 Harpold Rd
Malin, OR 97632
Klamath County
(Jan 2012 - Jun 2018)

418 Pepper Ct
Vacaville, CA 95687
Solano County
(Nov 2000 - May 2018)

21173 Harpold Rd
Malin, OR 97632
Klamath County
(Oct 2012)

4323 Bartlett Ave
Klamath Falls, OR 97603
Klamath County
(Jan 2011 - Aug 2012)

17823 County Rd #85B
Esparto, CA 95627
Yolo County
(Nov 2011)

17823 County Road 8513
Esparto, CA 95627
Yolo County
(Mar 2009 - Apr 2009)

17823 County Road 868
Esparto, CA 95627
Yolo County
(Jul 2005)

17823 County Road 85
Esparto, CA 95627
Yolo County
(Jan 1998)

2201 Howe Ave #41
Sacramento, CA 95825
Sacramento County
(Jan 1995)

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Possible Relatives

[Edwin I. Wallenhorst](#), [Joan Marie Russ](#), [Raymond John Russ](#), [Rus J. Wallenhorst](#), [John A. Russ](#), [Kimberly Delouise Russ](#), [Laura Ann Russ](#), [Laura A. Russ](#), [Mary S. Russ](#), [Ray Russ](#), [Raymond H. Russ](#), [Raymond A. Russ](#), [Raymond N. Russ](#), [John Albert Russ](#), [Konrad A. Russ](#), [Raymond Louis Russ](#), [Robert L. Russ](#), [Sally L. Russ](#)



Possible Associates

[Dwayne T. Pyle](#), [Hosie O. Husodo](#), [Olivia S. Pyle](#), [Bryan Patrick Graley](#), [Joanne A. Hawkins](#), [John L. Hawkins](#), [Donald D. McCullough](#), [Frank V. Bruno Jr.](#), [James T. Chaffin](#), [Joan F. McDaniel](#), [Shauna R. Chaffin](#), [Shirley R. Martella](#), [William H. Martella](#), [Daniel W. Blake](#), [Edward E. Blake](#), [Jonathan M. Blake](#), [Kaci E. Blake](#), [Trudy E. Gravitt](#)



Current Neighbors

[Benjamin Lira Espinoza](#)
[PO Box 124](#)
[Malin, OR 97632](#)
[\(541\) 723-2690](#)

[Scott M. Verley](#)
[PO Box 123](#)
[Malin, OR 97632](#)
[\(541\) 891-5885](#)

[Orlando Acosta](#)
[PO Box 122](#)
[Malin, OR 97632](#)

[Maria Gonzalez](#)
[PO Box 130](#)
[Malin, OR 97632](#)



Background Report Sponsored Link

- Arrest Records
- Court Records
- Marriage & Divorce Records
- Bankruptcies, Judgments, Liens
- Search Warrants
- Criminal Records Data
- Property Records
- Current and Past Contact Info
- Reverse Phone Lookups
- Age
- Addresses and Phone Numbers
- Relatives and Associates
- Public Records Data
- Complete Background Check

[View Background Report](#)

advertisement

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Rudolf "Rudy" Paygr

BIRTH 28 Aug 1910
Malin, Klamath County, Oregon, USA



DEATH 30 Dec 2003 (aged 93)
Klamath Falls, Klamath County, Oregon, USA

BURIAL Malin Cemetery
Malin, Klamath County, Oregon, USA


MEMORIAL ID 28732394

Family Members

Parents

-  **Frank Paygr**
1880–1958
-  **Elizabeth Kat Hruska Paygr**
1885–1973

Spouse

-  **Mary Jane Hardy Paygr**
1918–2015 (m. (married) 1946)

Siblings

-  **Frank Paygr**
1908–1996



Photo added by USA Grannie



Added by J

Rudolf "Rudy" Paygr, 93, the first child born in the Czech settlement of Malin, died Dec. 30 in Klamath Falls.

His funeral services will be held 12:45 p.m. Sat., Dec. 31 at the Malin Cemetery, 811 1/2 Cemetery with Rev. Frank serving as minister of services. Funeral arrangements are being handled by Walter A. Hogg, Funeral Chapel and Cremation Center.

Mr. Paygr was born April 28, 1910, in Malin, the son of Frank and Alberta Hruska Paygr. (The Czech spelling of Paygr was later Americanized to Paygr.) He was the youngest of three children and was the first child born in Malin, which was originally settled by Czech immigrants.

As a youngster, he rode home to the old Stone View school, but learned the habit of loafing which he carried with him when he went to high school in Malin. At Malin High School, he was on the debate team, played baseball and football and was on the track team.

Following graduation in 1930, Mr. Paygr attended an agricultural engineering school in Lakeland, Calif.

He was drafted into the United States Army in 1942. Mr. Paygr served during and worked with his family on Paygr Farms in one of the homes were used in places north of Malin.

In the winter he and eight "horse boys" went to Klamath Falls to roller skate in the old Roller Arena. One of those evenings he met Mary Jane Hardy, who shared the roller skating. They married March 28, 1946, and made their home in Malin, where he continued to work with his family. In the 1950s he worked on his own, growing potatoes, beef, grain and other stock. He retired in 1975.

Mr. Paygr loved the outdoors and enjoyed fishing with his brother, Frank, on Medicine Lake and Boulder Creek. He was an avid sports fan and often attended the games of local teams. He especially enjoyed ballroom dancing and dance (roller) skating with his wife, and also ice skating, played one hole and tennis.

After his retirement he and wife spent much time in the family's home. He and his brother, who moved to Malin, bought an airplane and put it in an airport on the ranch. At age 88 he was still doing farm equipment.

His family said Mr. Paygr was a "brilliant" man who loved to debate and have public discussions of a political nature. Late in life, he loved to read and write and was a history buff. He was also a member of the Elks Club and was a member of the Elks Lodge, retiring and games and taking his wife to dinner. Mary Jane was his and Mrs. Jane participated in roller skating shows where they demonstrated their dance skills in the old elementary school, which is now the Elks Club Center.

Survivors include his wife, Mary Jane Paygr of Malin; three sons and one daughter; and four grandsons and four granddaughters. He and Mrs. Paygr were assisted in death by his nephews, Frank and Albert Paygr, sister, Madeline Paygr, brother, Frank Paygr, and nephew, James Paygr.

Contributions in memory of Mr. Paygr may be made to the Low River High School where he died.

Added by J

Maintained by: M Carter
Originally Created by: USA Grannie
Added: 2 Aug 2008
Find a Grave Memorial 28732394

Find a Grave, database and images

(<https://www.findagrave.com/memorial/28732394/rudolf-paygr> : accessed 07 April 2022), memorial page for Rudolf "Rudy" Paygr (28 Aug 1910–30 Dec 2003), Find a Grave Memorial ID 28732394, citing Malin Cemetery, Malin, Klamath County, Oregon, USA ; Maintained by M Carter (contributor 47545935) .

RECEIVED

APR 14 2022

OWRD

Melinda Brown Law
Returned at Counter

2019-001092
Klamath County, Oregon



02/05/2019 01:37:26 PM

Fee: \$87.00

After recording, please send to:
William B. Bowman
26112 Paygr
Malin, Oregon 97632

* Please also send tax statements to above address.

Quitclaim Deed

This Quitclaim Deed, executed this 31st day of January, 2019.

By Grantor, *William B. Bowman*, who took title as, *William Bowman*, To Grantee, *William B. Bowman*, as Trustee of the *William B. Bowman Revocable Living Trust*.

WITNESSETH, that the said Grantor does hereby remise, release, and quitclaim unto said Grantee forever, all the right, title, interest, and claim which the said Grantor has in and to the following described parcel of land, and improvements and appurtenances thereto in the County of Klamath, State of Oregon, To Wit:

Tax Account No. 4011-03600-00600-000	Key No. 601851
Tax Account No. 4011-03600-00600-000	Key No. 105148
Tax Account No. 4111-00100-00100-000	Key No. 105193
Tax Account No. 4111-00100-00400-000	Key No. 105228

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FEB 28 2022

See Exhibit A.

OWRD

The true actual consideration for this transfer is \$0.00. ORS 93.930.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSONS RIGHTS, IF ANY, UNDER ORS 195.300 (Definitions for ORS 195.300 to 195.336), 195.301 (Legislative findings) AND 195.305 (Compensation for restriction of use of real property due to land use regulation) TO 195.336 (Compensation and Conservation Fund) AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 (Definitions for ORS 92.010 to 92.192) OR 215.010 (Definitions), TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL. TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930 (Definitions for ORS 30.930 to 30.947), AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300 (Definitions for ORS 195.300 to 195.336), 195.301 (Legislative findings) AND 195.305 (Compensation for restriction of use of real property due to land use regulation) TO 195.336 (Compensation and Conservation Fund) AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

IN WITNESS WHEREOF, That said Grantor has signed and sealed these presents the day and year first above written. Signed, sealed, and delivered in the presence of:

William B. Bowman
William B. Bowman

State of Oregon)
County of Klamath)

The above-mentioned person, *William B. Bowman*, appeared before me and acknowledged that he executed the above instrument. Affirmed before me on January 31, 2019.



Tava L. Sloss
Notary Public for Oregon
My Commission Expires: 3/22/21

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FEB 28 2022

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The S1/2 SE1/4 of Section 36, Township 40 South, Range 11 East, Willamette Meridian; and the N1/2 NE1/4 NE1/4, EXCEPTING the Southerly 15 feet, all of the NW1/4 NE1/4 and the Westerly 15 feet of the following described land: S1/2 NE1/4 NE1/4 and all that part of the SE1/4 NE1/4 lying North of the Adams Canal, all in Section 1, Township 41 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon.

EXCEPTING a tract of land described as follows: Beginning at an iron pin on the Section Line which pin lies in the East right of way line of the County Road 30 feet East from the South quarter corner of Section 36, Township 40 South, Range 11 East, Willamette Meridian, in Klamath County, Oregon, and running thence: continuing East along the South section line of Section 36 a distance of 284.2 feet to an iron pin; thence North 30° East a distance of 184.8 feet to a pin; thence North 13° 03' West a distance of 191.7 feet to an iron pin; thence West a distance of 333.3 feet to an iron pin which lies on the East right of way line of the County Road; thence South along the East right of way line of the county Road a distance of 346.7 feet more or less to the point of beginning, in the SW1/4 SE1/4 of Section 36, Township 40 South, Range 11 East, Willamette Meridian, in Klamath County, Oregon.

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ALSO EXCEPT THEREFROM: A parcel of land situated in the SW1/4 SE1/4 of Section 36, Township 40 South, Range 11 East, Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows: Beginning at an iron pipe located at the South and East right of way of the old Linkville-Tulelake Road at the point said road leaves the North and South centerline of Section 36, Township 40 South, Range 11 East, Willamette Meridian, and runs East; said iron pipe being also North 1,218.0 feet and North 89° 48' East 30.0 feet from South quarter-section corner of Section 36; thence North 89° 48' East along the South right of way of said Linkville-Tulelake Road, 477.4 feet to the Northwesterly right of way of the County Road #1113 known as Paygr Road; thence along Paygr Road South 43° 06' 20" West 154.25 feet to a beginning of curve; thence around a 10 degree 30' 40" curve to the left (radius 548.05) a distance of 107.68 feet; thence South 31° 47' 20" West 581.5 feet to the intersection of the Westerly right of way of the Old Linkville-Tulelake Road; thence North 690.92 feet, more or less, to the point of beginning.

ALSO EXCEPTING THEREFROM a tract of land for Shasta View Irrigation District as set forth in Volume 91 page 573 and Volume 138 at page 382, Deed Records of Klamath County, Oregon.

ALSO EXCEPTING THEREFROM: Beginning at a point that is the Southwest corner of Gerald E. Moore and Lori L. Moore's property, that is described in a deed recorded at M87-19492, October 27, 1987; which is also the Southwest corner of the NW1/4 SE1/4 Section 36, Township 40 South, Range 11 East, Willamette Meridian, Klamath County, Oregon. Thence East along the 1/16 line 647.40 feet. Thence South approximately 65 feet to the northern right-of-way line of the old Linkville-Tulelake Road. Thence West paralleling the above said 1/16 line 647.40 feet. Thence North approximately 65 feet, to the point of beginning.

ALSO EXCEPTING THEREFROM: Beginning at a point that is 647.40 feet East of the Southwest corner of the NW1/4 SE1/4 Section 36, Township 40 South, Range 11 East, Willamette Meridian, Klamath County, Oregon. Thence East along the 1/16 line approximately 1,992.6 feet to the Section line common to Section 36 and Section 6. Thence South approximately 200 feet to the northerly right of way line of Paygr Way (County Road 1113). Thence westerly along the northerly right of way line of Paygr Way (County Road 1113) to a point that is 65 feet south of the point of beginning. Thence North 65 feet to the point of beginning.

EXHIBIT A



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Ste A

Salem, OR 97301

Phone: 503-986-0900

Fax: 503-986-0904

www.Oregon.gov/OWRD

March 3, 2022

William Bowman Farms
26112 Paygr
Malin, OR 97632

Reference: Application G-15495, Permit G-15405

The requested partial assignment by proof from William B Bowman to William B Bowman cannot be performed at this time. The request for assignment has multiple deficiencies as described below.

The form used is outdated and does not reflect the current fee. I have attached the current Request for Assignment by Proof of Ownership form. It is also available on our website.

The submitted recording fee of \$100 is insufficient. As of July 1, 2021, the fee for a request for assignment is \$120. Additionally, the check is incomplete as it is filled out. It is missing the amount written in letters.

The Request for Assignment by Proof of Ownership form is filled out incorrectly as the current holder of record portion reflects the name William B Bowman. The current holder of record is meant to indicate the current permit holder(s) of record. The current permit holders of record are Jo Ann Wollenhorst-Russ and Rudolph Paygr. Their names and address should be captured in this area of the form.

For assignments of a portion of a permit, a map indicating the portion to be assigned is required. The required map was submitted. Some of the tax lots on the maps were highlighted. Please write on the maps that the highlighted portions are the portions being requested for assignment, if that is your intent.

Also, the form is not signed in the area labeled, Signature of Party Requesting Assignment.

Please return the request with the required items so that the Department may process it in a timely manner.

Should you have any questions, please do not hesitate to contact me at the address above or by telephone at 503-979-9895.

Sincerely,

Mary F. Bjork
Water Rights Program Analyst
Water Right Services Division

Enclosures: Original Request and Check

cc: File





Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301
(503) 986-0900
www.wrd.state.or.us

Request for Assignment By Proof of Ownership

(If Water Right Holder is Not Available)

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FEB 28 2022

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If the Department determines that the application is incomplete, fees have not been paid, or the required documents are not acceptable, the application and all fees submitted will be returned to the applicant.

If for multiple rights, a separate form and fee for each right will be required.

I, William B Bowman
(Name of Party Requesting Assignment)
26112 PAHAR Milw Ore 97637 541-281-4291
(Mailing Address) (City) (State) (Zip) (Phone #)

- hereby request assignment of an entire application/permit/transfer/limited license/groundwater statement; hereby request
- assignment of a portion of application/permit/transfer/limited license/groundwater statement; (You must include a map showing the portion of the application/permit/transfer/limited license/groundwater statement to be assigned.)

Application # B-15495; Permit # G-15405; Transfer # _____;

Limited License # _____; Groundwater Statement # _____;

William B Bowman
(Name of Current Holder of Record)
26112 PAHAR Milw Ore 97637 541-281-4291
(Mailing Address) (City) (State) (Zip) (Phone #)

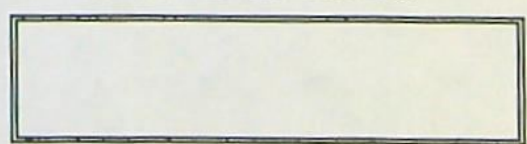
Note: Write the initials (first letters) of your first and last names at the spots indicated below _____.

- 1) WBS I certify that I am the current owner of the property described in this application, permit, transfer order, limited license, or groundwater statement. I have attached proof of ownership that may include but not be limited to: a copy of the deed to the land, a copy of a land sales contract, a court order or decree, documentation of survivorship of property held jointly. The Department cannot accept a copy of a tax statement.
- 2) WBS I have the legal right to request assignment under OAR 690-310-0280 and 690-320-0060.
- 3) WBS I have not been able to contact the owner(s) of record for the above referenced transaction. I have attached proof acceptable to the Department that notice of the assignment has been given or attempted for each identified property owner not a party to the assignment. ORS 537.220(2) Failure to submit this proof will result in the return of your request. (Proof may include but not be limited to: a copy of returned certified mailing, copy of a Death Certificate, or a court order.)
- 4) WBS I further certify that the information provided herein is true and correct to the best of my knowledge.

Witness my hand this Feb 23 day of Feb, 2022.
(Day) (Month) (Year)

Signature of Party Requesting Assignment _____
Failure to provide any of the required information will result in the return of your application.

DO NOT WRITE IN THIS BOX



The completed "Request for Assignment" form *must* be submitted to the Department along with the recording fee of \$100.

MAP TO ACCOMPANY GROUND WATER APPLICATION

SITUATED IN THE SE1/4 OF SECTION 36, T40S, R1E1W,
AND THE N1/2 OF THE NE1/4 OF SECTION 1, T41S,
R1E1W, KLAMATH COUNTY, OREGON
APRIL, 2001

RECEIVED

FEB 07 2002

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. *G-15495*
Permit No. *G-15405*

RECEIVED

FEB 28 2022

MAP PREPARED FOR

RAYMOND RUSS &

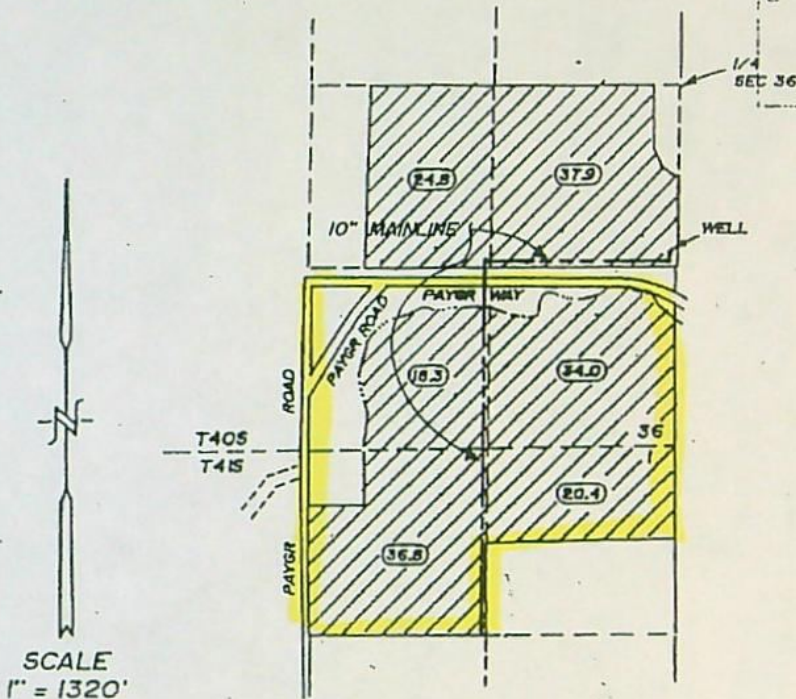
JO ANNE WALLENHORST-RUSS

MAP PREPARED FROM

--ASSESSORS MAP--

--RUDOLPH & MARY PAYGR--

OWRD



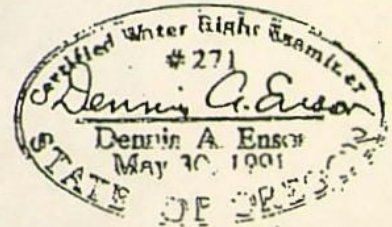
TOTAL AREA
THIS APPLICATION
--172.2 Ac.--

LOCATION OF PROPOSED WELL BY OWNER

1400 FEET NORTH AND 200 FEET WEST OF
THE SECTION CORNER BETWEEN 36 AND 1



LANDS THIS APPLICATION



THE PURPOSE OF THIS MAP IS TO IDENTIFY THE
LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED
TO PROVIDE INFORMATION RELATIVE TO THE
LOCATION OF PROPERTY OWNERSHIP BOUNDARY
LINES.

TRU-LINE SURVEYING, INC.
2333 SUMMERS LANE
KLAMATH FALLS, OREGON 97603

RECEIVED
FEB 28 2022

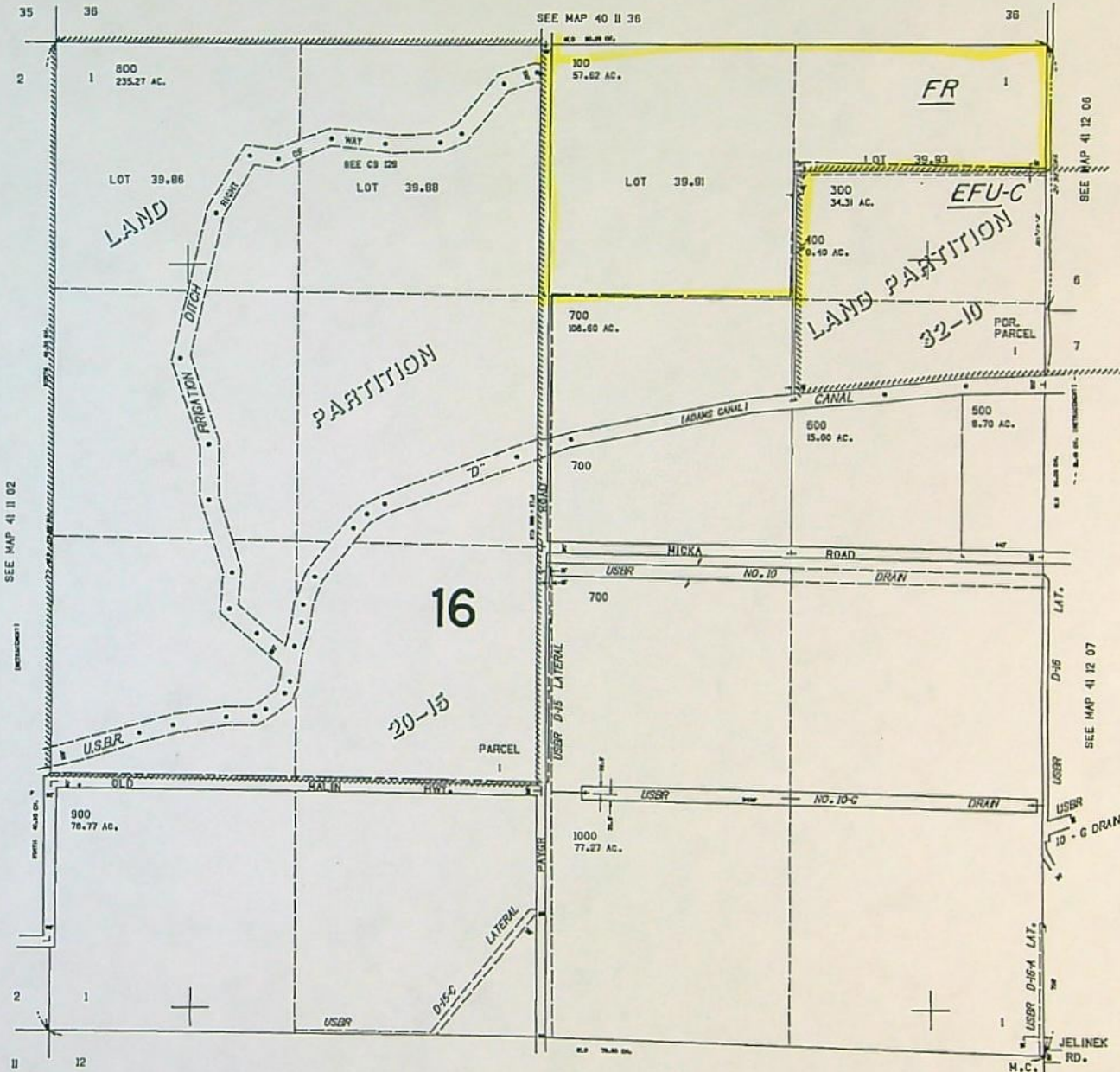
OWRD

REVISED 05-17-2016
THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

SECTION 01 T.41S. R.11E. W.M.
KLAMATH COUNTY

41 11 01

1"=400'



CANCELLED NO.
200

SEE MAP 41 11 02

SEE MAP 41 12 06

SEE MAP 41 12 07

SEE MAP 41 11 12

132.000

41 11 01

.734.000

RECEIVED

FEB 28 2022

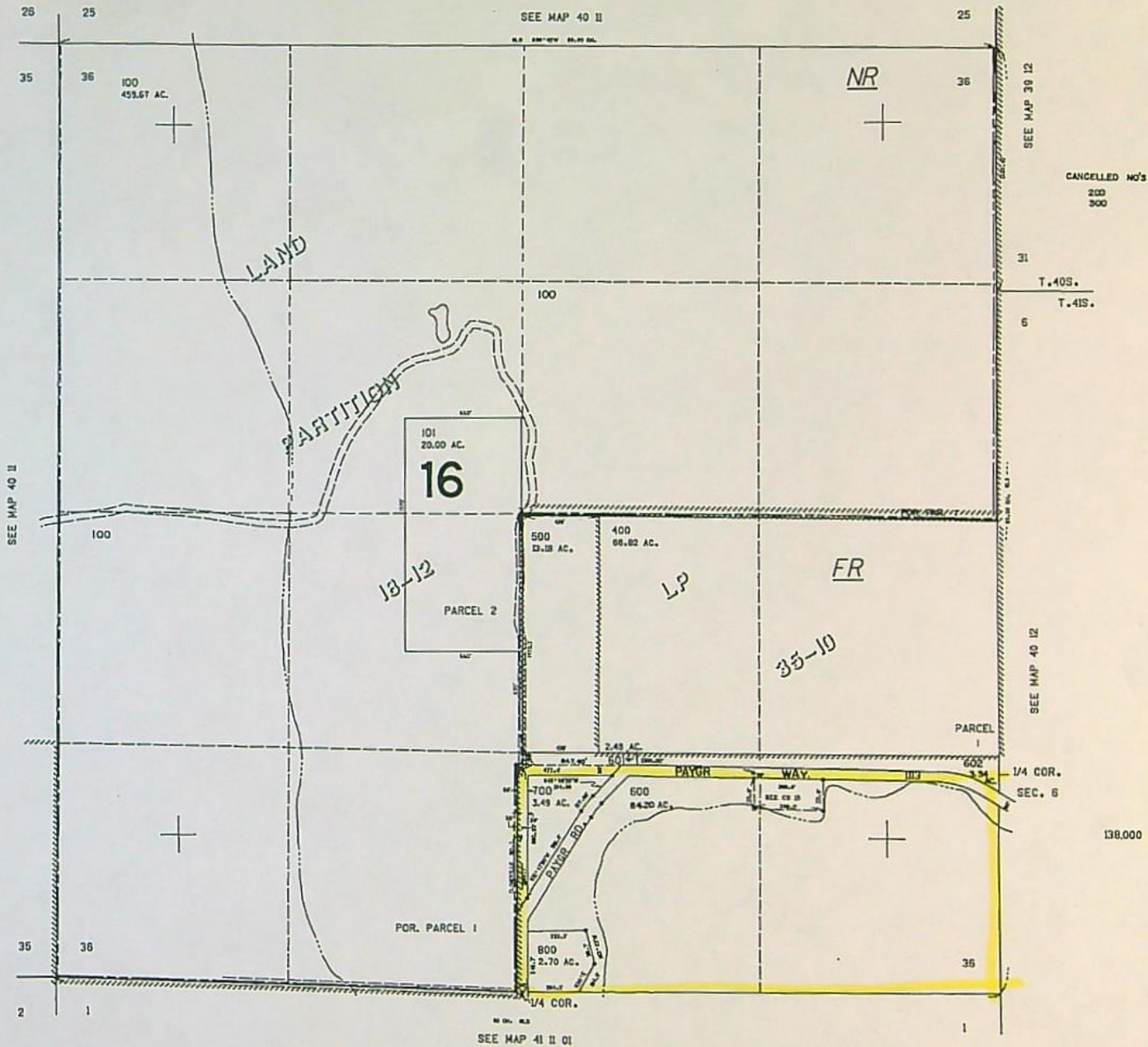
OWRD

REVISED 03-26-13
THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

SECTION 36 T.40S. R.11E. W.M.
KLAMATH COUNTY

40 11 36

1"=400'



734,000

40 11 36

Wolunda Bowman Law

Returned at Counter

2019-001092
Klamath County, Oregon



02/05/2019 01:37:26 PM

Fee: \$87.00

After recording, please send to:
William B. Bowman
26112 Paygr
Malin, Oregon 97632

* Please also send tax statements to above address.

Quitclaim Deed

This Quitclaim Deed, executed this 31st day of January, 2019.

By Grantor, *William B. Bowman*, who took title as, *William Bowman*, To Grantee, *William B. Bowman*, as Trustee of the *William B. Bowman Revocable Living Trust*.

WITNESSETH, that the said Grantor does hereby remise, release, and quitclaim unto said Grantee forever, all the right, title, interest, and claim which the said Grantor has in and to the following described parcel of land, and improvements and appurtenances thereto in the County of Klamath, State of Oregon, To Wit:

Tax Account No. 4011-03600-00600-000	Key No. 601851
Tax Account No. 4011-03600-00600-000	Key No. 105148
Tax Account No. 4111-00100-00100-000	Key No. 105193
Tax Account No. 4111-00100-00400-000	Key No. 105228

RECEIVED
FEB 28 2022

See Exhibit A.

OWRD

The true actual consideration for this transfer is \$0.00. ORS 93.930.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSONS RIGHTS, IF ANY, UNDER ORS 195.300 (Definitions for ORS 195.300 to 195.336), 195.301 (Legislative findings) AND 195.305 (Compensation for restriction of use of real property due to land use regulation) TO 195.336 (Compensation and Conservation Fund) AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 (Definitions for ORS 92.010 to 92.192) OR 215.010 (Definitions), TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL. TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930 (Definitions for ORS 30.930 to 30.947), AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300 (Definitions for ORS 195.300 to 195.336), 195.301 (Legislative findings) AND 195.305 (Compensation for restriction of use of real property due to land use regulation) TO 195.336 (Compensation and Conservation Fund) AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

IN WITNESS WHEREOF, That said Grantor has signed and sealed these presents the day and year first above written. Signed, sealed, and delivered in the presence of:

William B. Bowman
William B. Bowman

State of Oregon)
County of Klamath)

The above-mentioned person, *William B. Bowman*, appeared before me and acknowledged that he executed the above instrument. Affirmed before me on January 31, 2019.



Tava L. Sloss
Notary Public for Oregon
My Commission Expires: 3/22/21

RECEIVED

FEB 28 2022

OWRD

The S1/2 SE1/4 of Section 36, Township 40 South, Range 11 East, Willamette Meridian; and the N1/2 NE1/4 NE1/4, EXCEPTING the Southerly 15 feet, all of the NW1/4 NE1/4 and the Westerly 15 feet of the following described land: S1/2 NE1/4 NE1/4 and all that part of the SE1/4 NE1/4 lying North of the Adams Canal, all in Section 1, Township 41 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon.

EXCEPTING a tract of land described as follows: Beginning at an iron pin on the Section Line which pin lies in the East right of way line of the County Road 30 feet East from the South quarter corner of Section 36, Township 40 South, Range 11 East, Willamette Meridian, in Klamath County, Oregon, and running thence: continuing East along the South section line of Section 36 a distance of 284.2 feet to an iron pin; thence North 30° East a distance of 184.8 feet to a pin; thence North 13° 03' West a distance of 191.7 feet to an iron pin; thence West a distance of 333.3 feet to an iron pin which lies on the East right of way line of the County Road; thence South along the East right of way line of the county Road a distance of 346.7 feet more or less to the point of beginning, in the SW1/4 SE1/4 of Section 36, Township 40 South, Range 11 East, Willamette Meridian, in Klamath County, Oregon.

RECEIVED

FEB 28 2022

OWRD

ALSO EXCEPT THEREFROM: A parcel of land situated in the SW1/4 SE1/4 of Section 36, Township 40 South, Range 11 East, Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows: Beginning at an iron pipe located at the South and East right of way of the old Linkville-Tulelake Road at the point said road leaves the North and South centerline of Section 36, Township 40 South, Range 11 East, Willamette Meridian, and runs East; said iron pipe being also North 1,218.0 feet and North 89° 48' East 30.0 feet from South quarter-section corner of Section 36; thence North 89° 48' East along the South right of way of said Linkville-Tulelake Road, 477.4 feet to the Northwesterly right of way of the County Road #1113 known as Paygr Road; thence along Paygr Road South 43° 06' 20" West 154.25 feet to a beginning of curve; thence around a 10 degree 30' 40" curve to the left (radius 548.05) a distance of 107.68 feet; thence South 31° 47' 20" West 581.5 feet to the intersection of the Westerly right of way of the Old Linkville-Tulelake Road; thence North 690.92 feet, more or less, to the point of beginning.

ALSO EXCEPTING THEREFROM a tract of land for Shasta View Irrigation District as set forth in Volume 91 page 573 and Volume 138 at page 382, Deed Records of Klamath County, Oregon.

ALSO EXCEPTING THEREFROM: Beginning at a point that is the Southwest corner of Gerald E. Moore and Lori L. Moore's property, that is described in a deed recorded at M87-19492, October 27, 1987; which is also the Southwest corner of the NW1/4 SE1/4 Section 36, Township 40 South, Range 11 East, Willamette Meridian, Klamath County, Oregon. Thence East along the 1/16 line 647.40 feet. Thence South approximately 65 feet to the northern right-of-way line of the old Linkville-Tulelake Road. Thence West paralleling the above said 1/16 line 647.40 feet. Thence North approximately 65 feet, to the point of beginning.

ALSO EXCEPTING THEREFROM: Beginning at a point that is 647.40 feet East of the Southwest corner of the NW1/4 SE1/4 Section 36, Township 40 South, Range 11 East, Willamette Meridian, Klamath County, Oregon. Thence East along the 1/16 line approximately 1,992.6 feet to the Section line common to Section 36 and Section 6. Thence South approximately 200 feet to the northerly right of way line of Paygr Way (County Road 1113). Thence westerly along the northerly right of way line of Paygr Way (County Road 1113) to a point that is 65 feet south of the point of beginning. Thence North 65 feet to the point of beginning.

EXHIBIT A

MONEY SLIP

DATE: 2-28-2022 RECEIPT #: 137580

RECEIVED FROM: William Bowman Farms APPLICATION G-15495
PERMIT
TRANSFER

CASH CHECK # 1975 OTHER (IDENTIFY) TOTAL REC'D \$ 100.00

1083 TREASURY 4170 MISC CASH ACCT.

0407 COPIES \$
OTHER: (IDENTIFY) \$

0243 Instream Lease 0244 Muni Water Mgmt. Plan 0245 Cons. Water

1083 TREASURY 4270 WRD OPERATING ACCT.

MISCELLANEOUS
0407 COPY & TAPE FEES
0410 RESEARCH FEES
0408 MISC REVENUE (IDENTIFY)
TC162 DEPOSIT LIAB. (IDENTIFY)
0240 EXTENSION OF TIME
WATER RIGHTS
0201 SURFACE WATER ED
0203 GROUND WATER \$
0205 TRANSFER \$
WELL CONSTRUCTION EX
0218 WELL DRILL CONSTRUCTOR \$
LANDOWNER'S PERMIT
OTHER (IDENTIFY)

0607 TREASURY 0467 HYDROE

0233 POWER LICENSE FEE (FWWRD)
0231 HYDRO LICENSE FEE (FWWRD)
HYDRO APPLICATION \$

Mary
We need to return the check as it is not filled out
KIM

SPECIAL INSTRUCTIONS:

*Assignment
Incomplete check
Incorrect amt \$100.⁰⁰ instead of \$120.⁰⁰*
 RETURN TO APPLICANT-- LETTER ATTACHED



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building
725 Summer St NE, Ste A
Salem, OR 97301

Phone: 503-986-0900

Fax: 503-986-0904

www.Oregon.gov/OWRD

NOTE: For water rights information and useful forms, please see our web site at www.oregon.gov/OWRD

Certified mail number 7019 0140 0000 7349 8746

Return receipt requested

January 25, 2022

RUDOLPH PAYGR
17823 COUNTRY RD 85 B
EPARTO, CA 95627

Reference: Application G-15495, Permit G-15405

Dear Permit Holder:

This letter is in regard to your water use permit as referenced above. Your permit required you to complete the development of your water use by October 1, 2007.

In order for the Department to consider issuance of a certificate of water right, you are required by law to hire a certified water right examiner to prepare and submit a claim of beneficial use that includes a final proof survey map of the development. The map and claim of beneficial use were to have been submitted to our Department within one year of October 1, 2007. The fee for submitting a claim of beneficial use is \$230.00. Please see the enclosed 'Resource Sheet' for our current database of CWRE's.

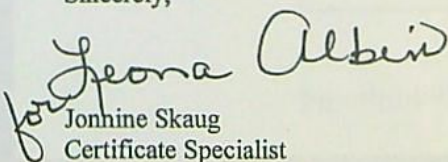
If you are not finished with the development of your permit, you need to file an application for an extension of time to complete your development. The fee for filing an extension of time is \$780.00. Please see the enclosed 'Resource Sheet' to access the extension of time form.

In the event that you are no longer using water as allowed by this permit, you should cancel it so that we may clear our records. Please see the enclosed 'Resource Sheet' to access the cancellation form, if you are interested in this option.

If you have not submitted either a Claim of Beneficial Use or a request for an extension of time for your permit within 60 days of the date of this letter (April 5, 2022) the Department may issue a Final Order to cancel your permit without further notice. If the Department issues a Final Order to cancel your permit, and you request reconsideration of the final order and reinstatement of your permit, there is a \$610.00 reinstatement fee that is charged in addition to the claim of beneficial use or extension of time fee.

Should you have any questions, please contact me at Jonnine.L.Skaug@water.oregon.gov, the address above or by telephone at 503-979-3943. Due to Covid-19, email may be the best way to reach me.

Sincerely,


Jonnine Skaug
Certificate Specialist

Enclosures (1)

cc: File

OWRD Watermaster District 17





Oregon

Kate Brown, Governor

January 25, 2022

Water Resources Department

North Mall Office Building

725 Summer St NE, Ste A

Salem, OR 97301

Phone: 503-986-0900

Fax: 503-986-0904

www.Oregon.gov/OWRD

Criss Duncan (tax lot 400)

PO Box 64

Malin OR 97632

Reference: Application #: G-15495 Permit#: G-15405

Dear Property Owner,

You have been identified as the owner of lands covered in part or in whole by the above referenced permit.

Please see the enclosed 'Resource Sheet' to access the assignment form if you wish to continue using this water.

Should you have any questions, please contact me at Jonnine.L.Skaug@oregon.gov, the address above or by telephone at 503-979-3943. Due to Covid-19, email may be the best way to reach me.

Sincerely,

Jonnine Skaug
Certificate Specialist

cc: file

Watermaster # 17





Oregon

Kate Brown, Governor

January 25, 2022

Water Resources Department

North Mall Office Building

725 Summer St NE, Ste A

Salem, OR 97301

Phone: 503-986-0900

Fax: 503-986-0904

www.Oregon.gov/OWRD

William Bowman Revocable Living Trust (tax lot 600)
William Bowman Trustee
26112 Paygr Rd
Malin OR 97632

Reference: Application #: G-15495 Permit#: G-15405

Dear Property Owner,

You have been identified as the owner of lands covered in part or in whole by the above referenced permit.

Please see the enclosed 'Resource Sheet' to access the assignment form if you wish to continue using this water.

Should you have any questions, please contact me at Jonnine.L.Skaug@oregon.gov, the address above or by telephone at 503-979-3943. Due to Covid-19, email may be the best way to reach me.

Sincerely,

for Jonnine Skaug
Certificate Specialist

cc: file
Watermaster # 17



Mailing List for 60-Day Letter

Application: G-15495

Permit: G-15405

Permit Holder(s):

RUDOLPH PAYGR
JOANN RUSS WOLLENHORST
17823 COUNTRY RD 85 B
EPARTO CA 95627

Is the Permit Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records? **NO**

Copies of Cancellation Order to be sent to Permit Holder(s) and following:

1. Watermaster District #17
2. File

Other persons to receive copies:

3. Adkins Consulting Engineering LLC
1435 Esplanade Ave,
Klamath Falls, OR 97601

Current Landowners:

1. William Bowman Revocable Living Trust (tax lot 600)
William Bowman Trustee
26112 Paygr Rd
Malin OR 97632
2. Criss Duncan (tax lot 400)
PO Box 64
Malin OR 97632

Copies Mailed	
by: <u>La</u>	(STAFF)
on: <u>1/25/22</u>	(DATE)

7019 0140 0000 7349 8746

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT <i>Domestic Mail Only</i>	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee \$	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$	
<input type="checkbox"/> Return Receipt (electronic) \$	
<input type="checkbox"/> Certified Mail Restricted Delivery \$	
<input type="checkbox"/> Adult Signature Required \$	
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage \$	
Total Postage and Fees \$	
Sent To	
Street and Apt. No., or PO Box No.	
City, State, ZIP+4®	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

Send 60 day ltr
12.23.21
JLS

COMPLETENESS PROJECT

Page 1

60 Day Letter

PERMIT STATUS REVIEW BY: Jonnine Skaug DATE: August 5, 2021 FILE # G-15495

1. Per Dwight French, do not send "C" DATE NOTICE PACKET if: update WRIS if appropriate

___ Extension pending Yes/No (No) _____

___ Assignment is pending Yes/No (No) _____

___ Cancellation has been requested Yes/No (No) _____

___ Claim of Beneficial Use received Yes/No (No)
Date information received _____

yo Dept. has already sent a certified 60-Day Compliance letter (date 6/15/15, Cert mail # 7014120000008251 3822)

Was 60 days notice allowed? (Y) N If No, How Much Time? _____
Was mail deliverable as addressed? (Y) N date 6/24/15
If mail returned, online/www check? Y N date _____ successful? Y N
Re-send Cert. Letter? Y N date _____
Send cancellation order Y N

2. IF NONE OF THE ABOVE APPLY

Yes

Send certified "C" date notice packet to permit holder.

"C" DATE 10/1/2007 BASIN NUMBER 14 WM # 17

CWRE or AGENT Yes/No (No) Adkins Consulting Engineering LLC

3. AOI Yes (NO) If Yes, name(s) of AOI _____

4. Current Landowner(s) and Mailing Address

If new owner: 2) Chris Duncan, PO Box 54, Malen OR 97632
1) Bowman William Revocable Living Trust, Bowman William trustee, 26112 Paygr Rd, Malen OR 97632

County of Place of Use Klamath Tax Lot(s) 400 & 600

Attach copy of email from County Assessor or Printout from Assessor's Site

Contacts regarding 60 Day Letter:

Hold Action Request from Permit/Landowner - Date of Request _____ Requesting Parties Name _____

Hold Action Until (Date) _____

No more than 60 days beyond original deadline to submit an extension, assignment, or Alt Res CBU

Hold Action Request from CWRE - Date of Request _____ CWRE Name _____

Hold Action Until (Date) _____

No more than 6 months beyond original deadline to submit a CBU

*Extension of time?? - was never filed

COMPLETENESS PROJECT

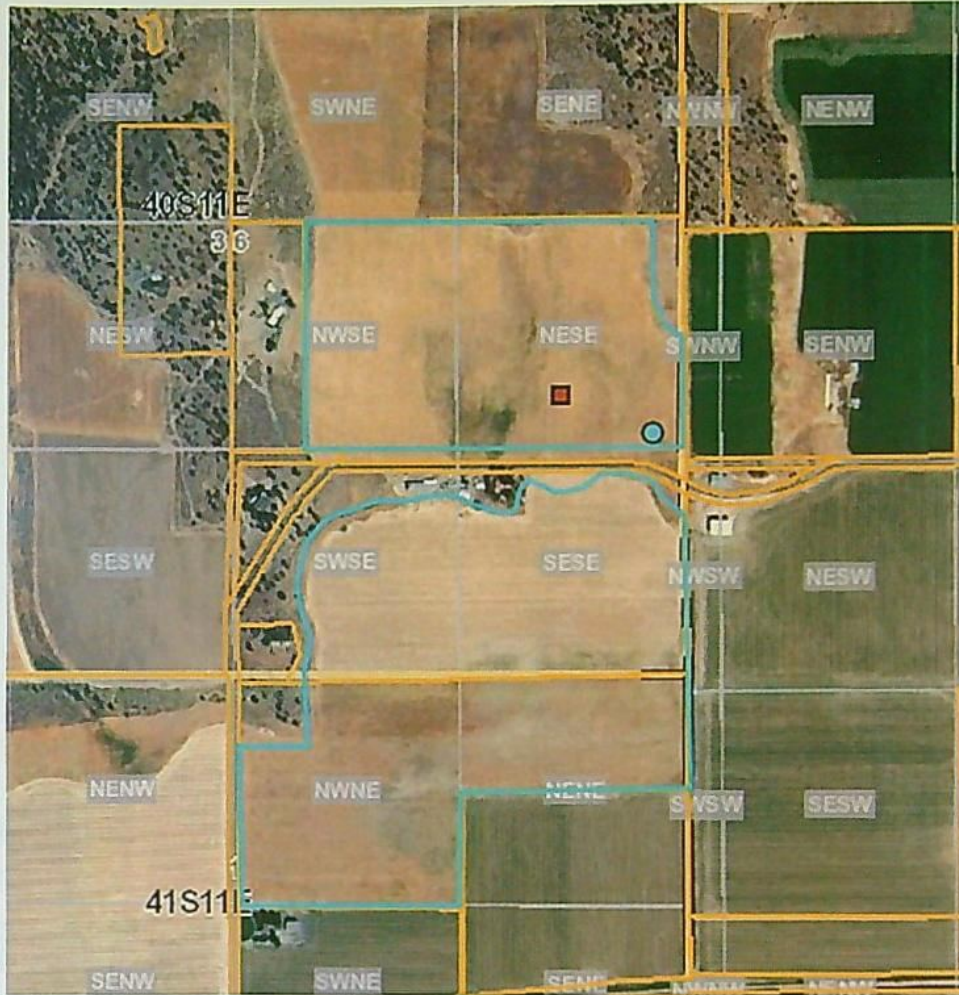
Page 2

Final Cancellation Review

PERMIT STATUS REVIEW BY _____ DATE _____

1. C Date ____/____/____
 2. Certified Letter Date ____/____/____
 3. Return Receipt Rcvd. ____/____/____
 4. Return Receipt Signed By _____
 5. Other Communication: ____/____/____
-

Recommend Cancellation or
Hold Action until ____/____/____



Tax Lots

Identify Tax Lots [OR Map](#)

- Off
- On

County: Klamath
 Taxlot: R-4011-03600-00400-000
 Owner1: DUNCAN CRISS
 Owner2:
 Owner Address: PO BOX 64, MALIN, OR 97632
 Site Address: N/A, N/A
 Acres: 66.8
 TRSQQ: WM0.0050.00E0XXXX
 Effective Date: May 1, 2021

Note: Tax lot information provided here is for general query purposes. It may not be up to date or may not be an official record. Please contact the respective county tax assessor's office for more current and specific information.

It is recommended to zoom to a detailed extent before query.

Tax Lots

Identify Tax Lots [OR Map](#)

- Off
- On

County: Klamath
 Taxlot: R-4011-03600-00600-000
 Owner1: BOWMAN WILLIAM B REVOCABLE LIVING TRUST
 Owner2: BOWMAN WILLIAM B TRUSTEE
 Owner Address: 26112 PAYGR RD, MALIN, OR 97632
 Site Address: 26112 PAYGR WAY, MALIN, OR 97632
 Acres: 5
 TRSQQ: WM0.0050.00E0XXXX
 Effective Date: May 1, 2021

Note: Tax lot information provided here is for general query purposes. It may not be up to date or may not be an official record. Please contact the respective county tax assessor's office for more current and specific information.

It is recommended to zoom to a detailed extent before query.

KLAMATH County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2020

August 31, 2021 5:18:08 pm

Account # 105148	Tax Status ASSESSABLE
Map # 4011-03600-00600	Acct Status ACTIVE
Code - Tax # 016-105148	Subtype NORMAL
Legal Descr Metes & Bounds - See legal report for full description.	
Mailing Name BOWMAN WILLIAM B REVOCABLE LIVING TRUST	Deed Reference # See Record
Agent BOWMAN WILLIAM B TRUSTEE	Sales Date/Price See Record
In Care Of	Appraiser LEONARD HILL
Mailing Address 26112 PAYGR RD MALIN, OR 97632	

Prop Class 541	MA	SA	NH	Unit
RMV Class 541	06	20	003	22529-1

Situs Address(s)	Situs City
ID# 26112 PAYGR WAY	MALIN

Code Area	RMV	MAV	Value Summary AV	RMV Exception	CPR %
016 Land	45,870			Land	0
Impr.	188,370			Impr.	0
Code Area Total	234,240	137,310	142,796		0
Grand Total	234,240	137,310	142,796		0

Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	Land Breakdown			Trended RMV
						TD%	LS	Size	
016					CONVERTED OSD - SA	100			16,640
016	2	<input checked="" type="checkbox"/>		FR	Farm Use Unzoned	100	A	1.86 55.2	5,470
016	4	<input checked="" type="checkbox"/>		FR	Farm Use Unzoned	100	A	1.67 55.3	6,630
016	5	<input checked="" type="checkbox"/>		FR	Farm Use Unzoned	100	A	0.12 55.4	160
016	6	<input checked="" type="checkbox"/>		FR	Farm Use Unzoned	100	A	0.35 CO.6	260
016	1	<input checked="" type="checkbox"/>		FR	Rural Site	100	A	1.00	16,710
Grand Total								5.00	45,870

Code Area	ID#	Yr Built	Stat Class	Description	Improvement Breakdown		Total Sq. Ft.	Ex% MS Acct #	Trended RMV
					TD%				
016	1		317	GP BUILDING	100		1,248		0
016	3		323	HAY COVER	100		1,800		0
016	4		323	HAY COVER	100		3,600		0
016	2		328	MACHINE SHED	100		3,072		0
016	1	1948	131	RES One story	145		1,630		92,580
016	2		110	Residential Other Improvements	145		0		95,790
Grand Total							11,350		188,370

Code Area	Type	Exemptions/Special Assessments/Potential Liability					
NOTATION(S):							
■ POT'L ADD'L TAX LIABILITY ADDED 2018							
016							
FIRE PATROL:							
■ FIRE PATROL SURCHARGE							
	Amount	47.50		Year	2020		
■ KLAMATH LAKE GRAZING							
	Amount	18.75	Acres	10.32	Year	2020	

Comments: 15' X 16' CONC FLOOR.

KLAMATH County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2020

August 31, 2021 5:19:11 pm

Account # 105175
 Map # 4011-03600-00400
 Code - Tax # 015-105175
 Legal Descr LP
 35-10 PARCEL 1
 Mailing Name DUNCAN CRISS
 Agent
 In Care Of
 Mailing Address PO BOX 64
 MALIN, OR 97632

Tax Status ASSESSABLE
 Acct Status ACTIVE
 Subtype NORMAL

Deed Reference # 2018-15430
 Sales Date/Price 12-21-2018 / \$216,000.00
 Appraiser UNKNOWN

Prop Class 401 MA SA NH Unit
 RMV Class 401 06 20 005 22533-1

Situs Address(s) Situs City

				Value Summary			
Code Area		RMV	MAV	AV	RMV Exception	CPR %	
015	Land	127,100			Land	0	70.48622
	Impr.	88,890			Impr.	88,890	
Code Area Total		215,990	160,790	160,790		88,890	
Grand Total		215,990	160,790	160,790		88,890	

Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	Land Breakdown			Trended RMV
						TD%	LS	Size	
015	1	<input checked="" type="checkbox"/>		FR	Market	100	A	66.82	127,100
Grand Total								66.82	127,100

Code Area	ID#	Yr Built	Stat Class	Description	Improvement Breakdown			Trended RMV
					TD%	Total Sq. Ft.	Ex% MS Acct #	
015	1	2019	318	UTILITY BUILDING	100	0	88,890	
Grand Total							0	88,890

Code Area	Type	Exemptions/Special Assessments/Potential Liability					
015		FIRE PATROL:					
		■ FIRE PATROL SURCHARGE	Amount	47.50		Year	2020
		■ KLAMATH LAKE GRAZING	Amount	18.75 Acres	4.22	Year	2020

Comments: 8/10/2010 OWNER PD DISQ AMOUNT FROM FARM USE
 RT TAG SHP/Ag permit 2/6/2020 mk



Oregon

Kate Brown, Governor

Water Resources Department
North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301
Phone (503) 986-0900
Fax (503) 986-0904
www.wrd.state.or.us

NOTE: For water rights information and useful forms, please see our web site at www.oregon.gov/OWRD

June 15, 2015

Certified mail number 7014 1200 0000 8251 3822
Return receipt requested

RUDOLPH PAYGR
JO ANN WOLLENHORST RUSS
PO BOX 126
MALIN, OR 97632

Reference: Application G-15495, Permit G-15405

Dear Permit Holder:

This letter is in regard to your water use permit as referenced above. Your permit required you to complete the development of your water use by **October 1, 2007**.

In order for the Department to consider issuance of a certificate of water right, you are required by law to hire a certified water right examiner to prepare and submit a claim of beneficial use that includes a final proof survey map of the development. The map and claim of beneficial use were to have been submitted to our Department within one year of October 1, 2007. The fee for submitting a claim of beneficial use is \$175.00. Please see the enclosed 'Resource Sheet' for our current database of CWRE's.

If you are not finished with the development of your permit, you need to file an application for an extension of time to complete your development. The fee for filing an extension of time is \$575.00. Please see the enclosed 'Resource Sheet' to access the extension of time form.

In the event that you are no longer using water as allowed by this permit, you should cancel it so that we may clear our records. Please see the enclosed 'Resource Sheet' to access the cancellation form, if you are interested in this option.

If you have not submitted either a Claim of Beneficial Use or a request for an extension of time for your permit within 60 days of the date of this letter (August 14, 2015) the Department may issue a Final Order to cancel your permit without further notice. If the Department issues a Final Order to cancel your permit, and you request reconsideration of the final order and reinstatement, there is a \$450.00 reinstatement fee plus a \$450.00 time fee.

Should you have any questions, please contact
Bamberger by telephone at 503-986-0900

Sincerely,

Jerry Sauter
Water Rights Program Analyst

Enclosures (1)
cc: File G-15495
OWRD Watermaster District

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete Items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>C. Date of Delivery</p>	
1. Article Addressed to:		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, enter delivery address below:</p>	
<p>G-15495</p> <p>RUDOLPH PAYGR JO ANN WOLLENHORST RUSS PO BOX 126 MALIN, OR 97632</p>		<p>RECEIVED</p> <p>JUN 22 2015</p> <p>OWRD</p>	
2. Article Number (Transfer from service label)		3. Service Type	
7014 1200 0000 8251 3822		<input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	

6/15

COURCHANE Corey A * WRD

App. G-15495

From: Vickie Ream <reception@adkinsengineering.com>
Sent: Thursday, September 14, 2017 3:13 PM
To: COURCHANE Corey A * WRD
Cc: Dan Scalas; Daniel Neighbor
Subject: RE: Jo Ann Wollenhorst-Russ, Permit G-15405

Corey,

Thank you for responding right away. We will let Ilene know about the Request for Assignment and will submit it with the Time Extension.

Have a great afternoon!

We are moving!

***As of Sept. 25, 2017 our new address will be:
1435 Esplanade Ave.
Klamath Falls, OR 97601***

Vickie Ream

Administrative Assistant
Adkins Consulting Engineering, LLP
2950 Shasta Way
Klamath Falls, OR 97603
Phone: 541-884-4666
Fax: 541-884-5335
adkins@adkinsengineering.com

From: COURCHANE Corey A * WRD [mailto:Corey.A.Courchane@oregon.gov]
Sent: Thursday, September 14, 2017 2:58 PM
To: Vickie Ream
Subject: RE: Jo Ann Wollenhorst-Russ, Permit G-15405

Hi Vickie,

No problem on placing a hold on this permit, will get it taken care of. Ilene would have to submit a Request for Assignment in order to submit the extension, since she is not a permit holder. We can only accept an application from a permit holder of record.

Thank you,

Corey A Courchane

COREY A COURCHANE | EXTENSION SPECIALIST

Water Resources Department | 725 Summer St. NE, Suite A | Salem, Oregon 97301
Ph: 503 986-0825 | Fax: 503 986-0901
Email: corey.a.courchane@oregon.gov | Web: <http://www.oregon.gov/OWRD>

From: Vickie Ream [<mailto:reception@adkinsengineering.com>]
Sent: Thursday, September 14, 2017 2:42 PM
To: COURCHANE Corey A * WRD
Cc: Dan Scalas; Daniel Neighbor
Subject: RE: Jo Ann Wollenhorst-Russ, Permit G-15405

Hi Corey,

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One other thing, can the sister sign the Time Extension application even though she is not listed on the deed?

Thank you,

We are moving!

***As of Sept. 25, 2017 our new address will be:
1435 Esplanade Ave.
Klamath Falls, OR 97601***

Vickie Ream
Administrative Assistant
Adkins Consulting Engineering, LLP
2950 Shasta Way
Klamath Falls, OR 97603
Phone: 541-884-4666
Fax: 541-884-5335
adkins@adkinsengineering.com

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Corey A Courchane

COREY A COURCHANE | EXTENSION SPECIALIST

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WILLIAMSON Bethanie R

G-15495 6/15

From: SAUTER Jerry K
Sent: Wednesday, July 01, 2015 2:57 PM
To: Vickie Ream
Cc: WILLIAMSON Bethanie R
Subject: RE: Permit G-15405

Thanks Vicki, I appreciate the update.
JK

J.K. (Jerry) Sauter | Water Rights Program Analyst
Water Resources Department | 725 Summer St. NE, Suite A | Salem, Oregon 97301
Ph. 503.986.0817 | Fax 503.986.0901
Information Requests may be made to : customerservice@wrdd.state.or.us

From: Vickie Ream [<mailto:reception@adkinsengineering.com>]
Sent: Wednesday, July 01, 2015 2:56 PM
To: SAUTER Jerry K
Cc: Dan O'Connor; Jon Moritz; cosar@jps.net
Subject: Permit G-15405

Good afternoon Jerry,

Are you enjoying the heat? ☺

We have been retained by Jo Ann Wollenhorst to do a Time Extension and COBU for Permit G-15405. We will add her to our schedule and work on her project as time permits.

Have a wonderful 4th of July!

Vickie Ream
Administrative Assistant
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2950 Shasta Way
Klamath Falls, OR 97603
541-884-4666
3126 State St., Ste. 111
Medford, OR 97504
adkins@adkinsengineering.com

MAP TO ACCOMPANY GROUND WATER APPLICATION

SITUATED IN THE SE1/4 OF SECTION 36, T40S, R1E1W,
AND THE N1/2 OF THE NE1/4 OF SECTION 1, T41S,
R1E1W, KLAMATH COUNTY, OREGON
APRIL, 2001

RECEIVED

FEB 07 2002

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. *915495*
Permit No. *6-05405*

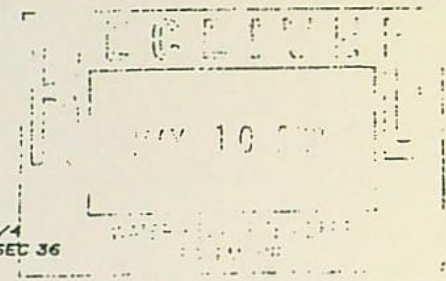
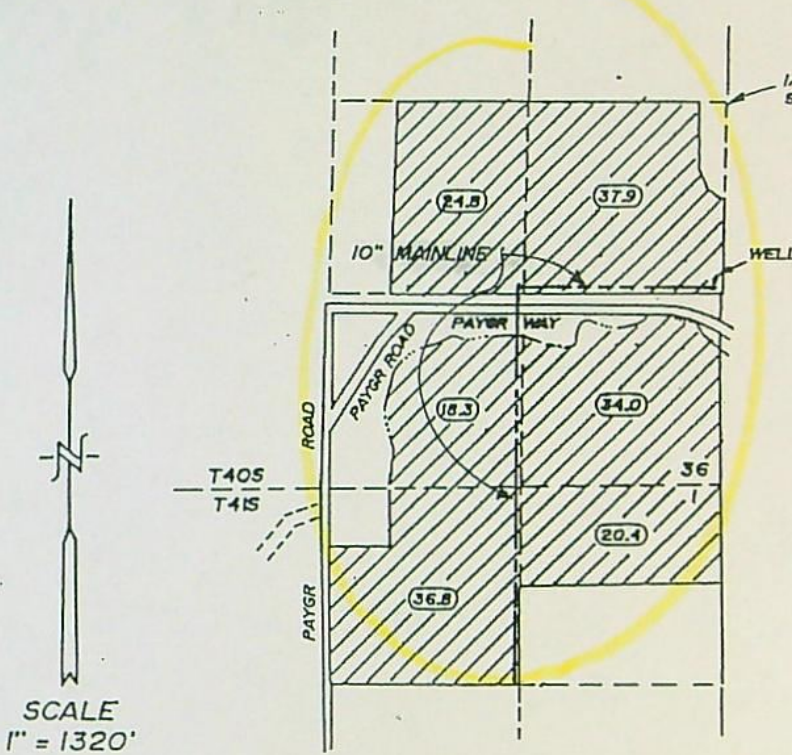
MAP PREPARED FOR

RAYMOND RUSS &
JO ANNE WALLENHORST-RUSS

MAP PREPARED FROM

--ASSESSORS MAP--

--RUDOLPH & MARY PAYGR--



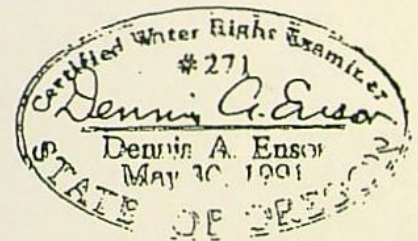
TOTAL AREA
THIS APPLICATION
--172.2 Ac.--

LOCATION OF PROPOSED WELL BY OWNER

1400 FEET NORTH AND 200 FEET WEST OF
THE SECTION CORNER BETWEEN 36 AND 1



LANDS THIS APPLICATION



THE PURPOSE OF THIS MAP IS TO IDENTIFY THE
LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED
TO PROVIDE INFORMATION RELATIVE TO THE
LOCATION OF PROPERTY OWNERSHIP BOUNDARY
LINES.

TRU-LINE SURVEYING, INC.
2333 SUMMERS LANE
KLAMATH FALLS, OREGON 97603

COURCHANE Corey A * WRD

App. G-15495

From: Vickie Ream <reception@adkinsengineering.com>
Sent: Thursday, September 14, 2017 3:13 PM
To: COURCHANE Corey A * WRD
Cc: Dan Scalas; Daniel Neighbor
Subject: RE: Jo Ann Wollenhorst-Russ, Permit G-15405

Corey,

Thank you for responding right away. We will let Ilene know about the Request for Assignment and will submit it with the Time Extension.

Have a great afternoon!

We are moving!

***As of Sept. 25, 2017 our new address will be:
1435 Esplanade Ave.
Klamath Falls, OR 97601***

Vickie Ream

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Phone: 541-884-4666
Fax: 541-884-5335
adkins@adkinsengineering.com

From: COURCHANE Corey A * WRD [mailto:Corey.A.Courchane@oregon.gov]
Sent: Thursday, September 14, 2017 2:58 PM
To: Vickie Ream
Subject: RE: Jo Ann Wollenhorst-Russ, Permit G-15405

Hi Vickie,

No problem on placing a hold on this permit, will get it taken care of. Ilene would have to submit a Request for Assignment in order to submit the extension, since she is not a permit holder. We can only accept an application from a permit holder of record.

Thank you,

Corey A Courchane

COREY A COURCHANE | EXTENSION SPECIALIST

Water Resources Department | 725 Summer St. NE, Suite A | Salem, Oregon 97301
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G-15495 6/15

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To: Vickie Ream
Cc: WILLIAMSON Bethanie R
Subject: RE: Permit G-15405

Thanks Vicki, I appreciate the update.
JK

J.K. (Jerry) Sauter | Water Rights Program Analyst
Water Resources Department | 725 Summer St. NE, Suite A | Salem, Oregon 97301
Ph. 503.986.0817 | Fax 503.986.0901
Information Requests may be made to : customerservice@wrdd.state.or.us

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Oregon

Kate Brown, Governor

Water Resources Department
North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301
Phone (503) 986-0900
Fax (503) 986-0904
www.wrd.state.or.us

NOTE: For water rights information and useful forms, please see our web site at www.oregon.gov/OWRD

June 15, 2015

Certified mail number 7014 1200 0000 8251 3822
Return receipt requested

RUDOLPH PAYGR
JO ANN WOLLENHORST RUSS
PO BOX 126
MALIN, OR 97632

Reference: Application G-15495, Permit G-15405

Dear Permit Holder:

This letter is in regard to your water use permit as referenced above. Your permit required you to complete the development of your water use by October 1, 2007.

In order for the Department to consider issuance of a certificate of water right, you are required by law to hire a certified water right examiner to prepare and submit a claim of beneficial use that includes a final proof survey map of the development. The map and claim of beneficial use were to have been submitted to our Department within one year of October 1, 2007. The fee for submitting a claim of beneficial use is \$175.00. Please see the enclosed 'Resource Sheet' for our current database of CWRE's.

If you are not finished with the development of your permit, you need to file an application for an extension of time to complete your development. The fee for filing an extension of time is \$575.00. Please see the enclosed 'Resource Sheet' to access the extension of time form.

In the event that you are no longer using water as allowed by this permit, you should cancel it so that we may clear our records. Please see the enclosed 'Resource Sheet' to access the cancellation form, if you are interested in this option.

If you have not submitted either a Claim of Beneficial Use or a request for an extension of time for your permit within 60 days of the date of this letter (August 14, 2015) the Department may issue a Final Order to cancel your permit without further notice. If the Department issues a Final Order to cancel your permit, and you request reconsideration of the final order and reinstatement of your permit, there is a \$450.00 reinstatement fee that is charged in addition to the claim of beneficial use or extension of time fee.

Should you have any questions, please contact Corey Courchane by telephone at 503-986-0825, Machel Bamberger by telephone at 503-986-0802, or myself at the address above or by telephone at 503-986-0817.

Sincerely,

Jerry Sauter
Water Rights Program Analyst

Enclosures (1)

cc: File G-15495
OWRD Watermaster District 17



PERMIT STATUS REVIEW BY M. Bambergue DATE 6-5-15 FILE# G-15495

1. Per Dwight French, do not send "C" DATE NOTICE PACKET if:

update appropriate db

Extension pending _____

Assignment is pending _____

Cancellation has been requested _____

Dept. has already sent a certified 60-Day Compliance letter (date _____, # _____)

Was **60 days notice** allowed? Y N If No, How Much Time? _____

Was mail deliverable as addressed? Y N date _____

If mail returned, online/www check? Y N date _____ successful? Y N

Re-send Cert. Letter? Y N date _____

Send cancellation order Y N

Claim of beneficial use and final proof map (COBU) have been received by Department

Date information received _____

2. IF NONE OF THE ABOVE APPLY

Send **certified** "C" date notice packet to permit holder.

"C" DATE 10-1-2007 BASIN NUMBER 14 WM# 17

CWRE or AGENT Dennis ENSOR

3. AOI Yes _____ NO X If Yes, name of AOI _____

S:\groups\wr\PERMIT C jdlc-date-checklist.doc

File Pro updated address }
Rudolph Paygr }
PO BOX 126 }
MALIN OR 97632 }

Send letter
MAB

None

Well Not Used.

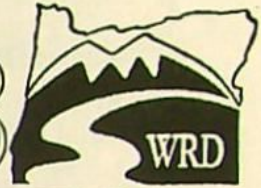
APP 015495

2002

Oregon Water Resources Department
October 2002 through September 2003
Annual Water Use - Monthly Quantities Form

USER-ID 29311

2003



Facility <input checked="" type="checkbox"/> POD-ID <input checked="" type="checkbox"/>	61382-15				
October - 2002	0				
November - 2002	0				
December - 2002	0				
January - 2003	0				
February - 2003	0				
March - 2003	0				
April - 2003	0				
May - 2003	0				
June - 2003	0				
July - 2003	0				
August - 2003	0				
September - 2003	0				
TOTAL *	0 GALLONS				

RECEIVED

* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: _____ . If use is irrigation, total number acres irrigated _____

MAY 10 2004

WATER RESOURCES DEPT
SALEM, OREGON

I certify this information is true and accurate to the best of my knowledge.

[Handwritten Signature]

owner
Title

Reporting Entity

5/7/2004
Date

Jo Anne Walkerhorst
Name - Please Print

Please complete and mail to: Water Resources Department; Water Use Reporting Program;
725 Summer Street NE, Suite A; Salem, OR 97301-1271



OREGON WATER RESOURCES DEPARTMENT SUMMARY OF WATER RIGHTS FOR WATER USE REPORT



Dear Water User: Your water use report for October 2002 to September 2003 has not been received by our office. This information is important for water management in Oregon. Please complete the form on the reverse side for the water rights listed below. If you have questions, or need more time please, contact me at 503-986-0833. Thank you for your attention to this matter. Mary Grainey

JO ANN WOLLENHORST
PAYGR, RUDOLPH
17823 COUNTRY RD 85 B
EPARTO CA 95627

USER-ID 29311

61382 0 G 15405 G 1549 5/10/2001 IS L 40 S 11 E 36 NESE 2.15 C 1 A WELL LOST R

4/29/2004

USER-ID 29311

2003

Oregon Water Resources Department
 October 2003 through September 2004
 Annual Water Use - Monthly Quantities Form

USE R-ID 29311

2004



RECEIVED

NOV 17 2004

WATER RESOURCES DEPT
 SALEM, OREGON

Facility <input type="checkbox"/>					
POD-ID <input type="checkbox"/>					
October - 2003	<i>Not Used</i>				
November - 2003					
December - 2003					
January - 2004					
February - 2004					
March - 2004					
April - 2004					
May - 2004					
June - 2004					
July - 2004					
August - 2004					
September - 2004					
TOTAL *					

* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: _____ . If use is irrigation, total number acres irrigated _____
 I certify this information is true and accurate to the best of my knowledge.

[Signature] _____ Title OWNER Reporting Entity _____ Date 11/15/2004

LoAnne Wallenhorst
 Name - Please Print

Please complete and return to: Water Resources Department; Water Reporting Program;
 725 Summer Street, Suite A, Salem, OR 97301-1271, or 503-986-0902.



OREGON WATER RESOURCES DEPARTMENT SUMMARY OF WATER RIGHTS FOR WATER USE REPORT



Dear Water User: Water year 2004 has ended! All water use reports for October 2003 to September 2004 are requested to be submitted. During the past year we transferred our data to a new computer system, and have developed a website from which you may submit your data, if you so choose. In some cases the references numbers for points of diversion may have been changed. If this creates a problem for you, please contact me. If you would like to use the new site go to the web address listed below. You will not need to mail in this completed form. This information is important for water management in Oregon. Please, complete the form on the reverse side for the water rights listed below by December 31, 2004. If you have questions, or need more time please, contact me at 503-986-0833. Thank you for your attention to this matter. Mary Grainey

JO ANN WOLLENHORST

<http://www.wrd.state.or.us>

PAYGR, RUDOLPH
17823 COUNTRY RD 85 B

User-ID 29311

EPARTO CA 95627

Password: 29311

POD-ID	FACILITY	CERT	PERMIT	APPL	PRIORITY	USE	L/S	TWP	RANGE	SEC	Q/Q	RATE	SOURCE	TRIBUTARY TO
61382		0 G	15405	G 15495	5/10/2001	IS	L	40 S	11 E	36	NESE	2.15 C	S A WELL	LOST R

USER-ID 29311

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-15495

Final Order

Application History

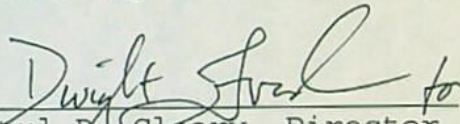
On MAY 10, 2001, JO ANN WOLLENHORST-RUSS AND RUDOLPH PAYGR submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on February 18, 2003. The protest period closed April 4, 2003, and no protest was filed.

The proposed use would not impair or be detrimental to the public interest.

Order

Application G-15495 therefore is approved as proposed by the Proposed Final Order, and Permit G-15405 is issued as limited by the conditions proposed by the Proposed Final Order.

DATED May 1, 2003


Paul R. Cleary, Director

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of this order must be filed within the 60 day time period specified by ORS 183.484(2).

This statement of judicial review rights does not create a right to judicial review of this order, if judicial review is otherwise precluded by law. Where no changes have been made to a Proposed Final Order on a water right application and no protests have been filed during the protest period, the final order is not subject to judicial review.

This document was prepared by Anita Huffman. If you have any questions about any of the statements contained in this document I am the most likely the best person to answer your questions. You can reach me at 1-503-378-8455 extension 229.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Renee Moulun. Her extension number is 239.

If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at extension 201. Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 158 12th ST. NE Salem, OR 97301-4172, Fax: (503)378-2496

STATE OF OREGON

COUNTY OF KLAMATH

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JO ANN WOLLENHORST-RUSS
RUDOLPH PAYGR
17823 COUNTRY RD 85 B
EPARTO, CALIFORNIA 95627

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-15495

SOURCE OF WATER: A WELL IN LOST RIVER BASIN

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION OF 172.2 ACRES

MAXIMUM RATE: 2.15 CUBIC FEET PER SECOND

PERIOD OF USE: APRIL 1 THROUGH SEPTEMBER 30

DATE OF PRIORITY: MAY 10, 2001

WELL LOCATION: NE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 36, T40S, R11E, W.M.; 1400 FEET NORTH
& 200 FEET WEST FROM SE CORNER, SECTION 36

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 37.9 ACRES

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 24.8 ACRES

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 18.3 ACRES

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 34.0 ACRES

SECTION 36

TOWNSHIP 40 SOUTH, RANGE 11 EAST, W.M.

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 20.4 ACRES

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 36.8 ACRES

SECTION 1

TOWNSHIP 41 SOUTH, RANGE 11 EAST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Before Use of Water Takes PlaceInitial and Annual Measurements

The Department requires the permittee to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

After Use of Water has BegunReference Water Level Determination

Following the first year of water use, the user shall submit one static water level measurement in the month specified above which will establish the reference level against which future annual measurements will be compared. The water user is not required to measure additional water levels after the reference level has been determined unless required by the Director. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer,

licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement; and
- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if annual water level measurements reveal any of the following events:

- (A) An average water level decline of three or more feet per year for five consecutive years; or
- (B) A water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) A water level decline of 25 or more feet; or
- (D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

If it is determined there are no underlying rights for these same lands after the adjudication of claims in the Klamath Basin, a certificate resulting from use of water under this permit may allow primary, rather than supplemental, irrigation of the lands described above. However, the right evidenced by such a certificate will be limited to the actual use made under this permit.

STANDARD CONDITIONS

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

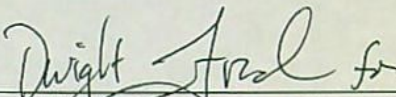
The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Complete application of the water to the use shall be made on or before October 1, 2007. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit,

the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued May 1, 2003


 Paul R. Cleary, Director
 Water Resources Department

REAL ESTATE TRANSACTIONS: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.

Application G-15495
 Basin 14
 AMH

Water Resources Department
 Volume 2 LOST R

PERMIT G-15405
 District 17

MAP TO ACCOMPANY GROUND WATER APPLICATION

SITUATED IN THE SE1/4 OF SECTION 36, T40S, R1E1W,
AND THE N1/2 OF THE NE1/4 OF SECTION 1, T41S,
R1E1W, KLAMATH COUNTY, OREGON
APRIL, 2001

RECEIVED

FEB 07 2002

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. *G-15495*
Permit No. *G-05405*

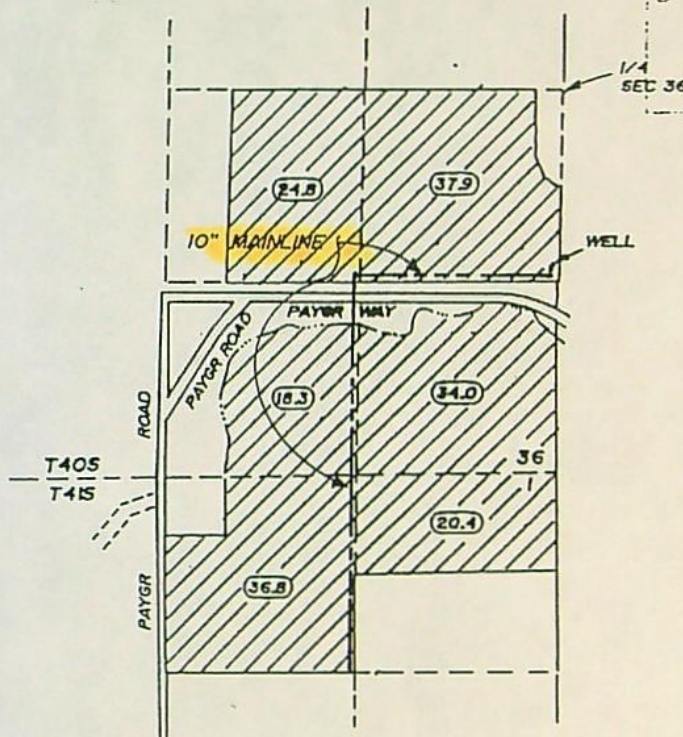
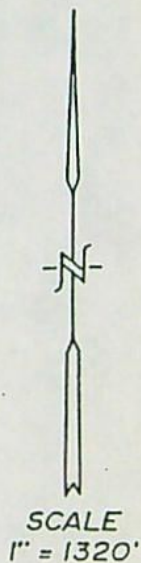
MAP PREPARED FOR

RAYMOND RUSS &
JO ANNE WALLENHORST-RUSS

MAP PREPARED FROM

--ASSESSORS MAP--

--RUDOLPH & MARY PAYGR--



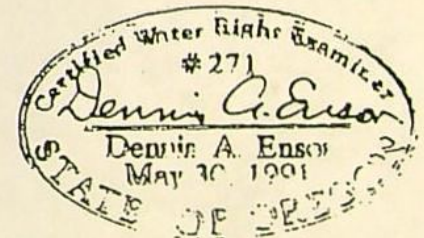
TOTAL AREA
THIS APPLICATION
--172.2 Ac.--

LOCATION OF PROPOSED WELL BY OWNER

1400 FEET NORTH AND 200 FEET WEST OF
THE SECTION CORNER BETWEEN 36 AND 1



LANDS THIS APPLICATION



THE PURPOSE OF THIS MAP IS TO IDENTIFY THE
LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED
TO PROVIDE INFORMATION RELATIVE TO THE
LOCATION OF PROPERTY OWNERSHIP BOUNDARY
LINES.

TRU-LINE SURVEYING, INC.
2333 SUMMERS LANE
KLAMATH FALLS, OREGON 97603

TO: Water Rights Section

June 18, 2001

FROM: Groundwater/Hydrology Section

Michael Zwart

Reviewer's Name

SUBJECT: Application G-15495

GROUNDWATER/SURFACE WATER CONSIDERATIONS

1. PER THE _____ Basin rules, one or more of the proposed POA's is/is not within _____ feet/mile of a surface water source (_____) and taps a groundwater source hydraulically connected to the surface water.

2. BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use
 - a. ___ will, or _____ have the potential for substantial interference with the nearest
 - b. ___ will not _____ surface water source, namely _____; or
 - c. will if properly conditioned, adequately protect the surface water from interference:
 - i. The permit should contain condition #(s) 7B;
 - ii. ___ The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. ___ The permit should be conditioned as indicated in item 4 below; or
 - d. ___ will, with well reconstruction, adequately protect the surface from substantial interference.

GROUNDWATER AVAILABILITY CONSIDERATIONS

3. BASED UPON available data, I have determined that groundwater for the proposed use
 - a. ___ will, or _____ likely be available in the amounts requested without injury to prior rights
 - b. ___ will not _____ and/or within the capacity of the resource; or
 - c. ___ will if properly conditioned, avoid injury to existing rights or to the groundwater resource:
 - i. ___ The permit should contain condition #(s) _____;
 - ii. The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. ___ The permit should be conditioned as indicated in item 4 below; or

4.
 - a. ___ THE PERMIT should allow groundwater production from no deeper than _____ ft. below land surface;
 - b. ___ The permit should allow groundwater production from no shallower than _____ ft. below land surface;
 - c. ___ The permit should allow groundwater production only from the _____ groundwater reservoir between approximately _____ ft. and _____ ft. below land surface;
 - d. ___ Well reconstruction is necessary to accomplish one or more of the above conditions.
 - e. ___ One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

REMARKS: See memo to file for special recommendations.
Consult with Dwight French re: letter to applicants.

(Well Construction Considerations on Reverse Side)

G-15495

WELL CONSTRUCTION (If more than one well doesn't meet standards, attach an additional sheet.)

5. THE WELL which is the point of appropriation for this application does not meet current well construction standards based upon:
- a. ___ review of the well log;
 - b. ___ field inspection by _____;
 - c. ___ report of CWRE _____;
 - d. ___ other: (specify) _____

6. THE WELL construction deficiency:
- a. ___ constitutes a health threat under Division 200 rules;
 - b. ___ commingles water from more than one groundwater reservoir;
 - c. ___ permits the loss of artesian head;
 - d. ___ permits the de-watering of one or more groundwater reservoirs;
 - e. ___ other: (specify) _____

7. THE WELL construction deficiency is described as follows: _____

8. THE WELL
- a. ___ was, or constructed according to the standards in effect at the time of
 - b. ___ was not original construction or most recent modification.
 - c. ___ I don't know if it met standards at the time of construction.

RECOMMENDATION:

- A. ___ I recommend including the following condition in the permit:
"No water may be appropriated under terms of this permit until the well(s) has been repaired to conform to current well construction standards and proof of such repair is filed with the Enforcement Section of the Water Resources Department."
- B. ___ I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Enforcement Section of the Water Resources Department.
- C. ___ REFER this review to Enforcement Section for concurrence.

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

I concur in G/H's recommendation A or B above relating to conditioning or withholding the permit
_____, 199__
(Signature)

I do not concur in G/H's recommendation A or B above relating to conditioning or withholding the permit for the following reasons: _____

_____, 199__
(Signature)

Water Right Conditions
Tracking Slip

Groundwater/Hydrology Section

FILE ## G-15495

ROUTED TO: Water Rights

TOWNSHIP/

RANGE-SECTION: 40S/11E-36 da

CONDITIONS ATTACHED? []yes []no

REMARKS OR FURTHER INSTRUCTIONS:

See memo to file

Reviewer: Michael Zwart

**OREGON WATER RESOURCES DEPARTMENT
INTEROFFICE MEMO**

To: Ground Water files Date: June 18, 2001

From: Michael J. Zwart

Subject: Application Review: G-15495, JoAnn Wollenhorst-Russ & Rudolph Paygr

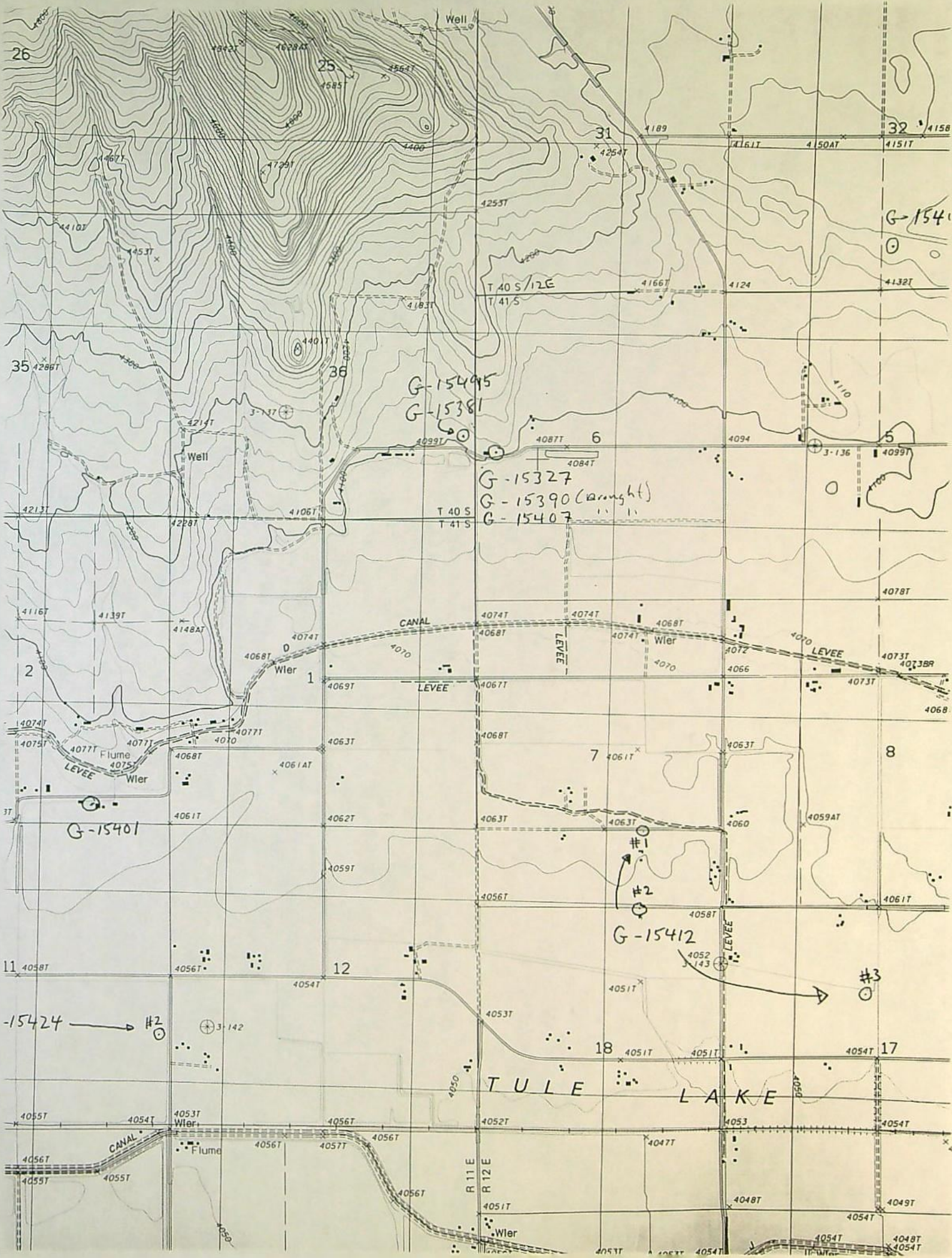
This application proposes to use about 966 gpm from one proposed well for supplemental irrigation of 172.2 acres (see also file G-15381). There is no proposed well construction information and therefore I would normally return the file for completion prior to review. However, based on my earlier review, the well will very likely produce water from a confined to semiconfined aquifer developed in Tertiary basalt rocks, likely the Basalt of Basin and Range (Tb2) as mapped by Sherrod and Pickthorn (1992).

The proposed well is about 1500 feet from an unnamed pond and about 3300 feet from the D Canal. There is no potential for substantial interference with surface water sources, based on the confined to semiconfined nature of the targeted aquifer.

The proposed location is only about 600 feet from the well for file G-15327. This raises a concern about potential for interference with senior rights to appropriate ground water. I do not believe that substantial interference (690-08-001(8)) will be caused, but it may be wise for the applicants to consider moving the proposed well site farther from the existing well to minimize mutual well interference.

This application for supplemental irrigation is for the same source of water as that for pending application G-15043 (Shasta View Irrigation District) which also covers these lands. That application is on administrative hold pending the results of an ongoing long-term test at one of the proposed wells. At this time I am unable to make a finding as to whether ground water is available for the proposed use. I recommend that the applicant be notified that a finding will be possible by no later than early 2002. I also recommend that the applicant request an administrative hold on this application.

I also recommend permit condition 7B.



G-1540

G-15495
G-15381

G-15327
G-15390 (brought)
G-15407

G-15401

G-15412

15424

#2

#1

#2

#3

TULE LAKE

R 11 E
R 12 E

Wier

Well

Well

Wier

Flume

Wier

CANAL

Flume

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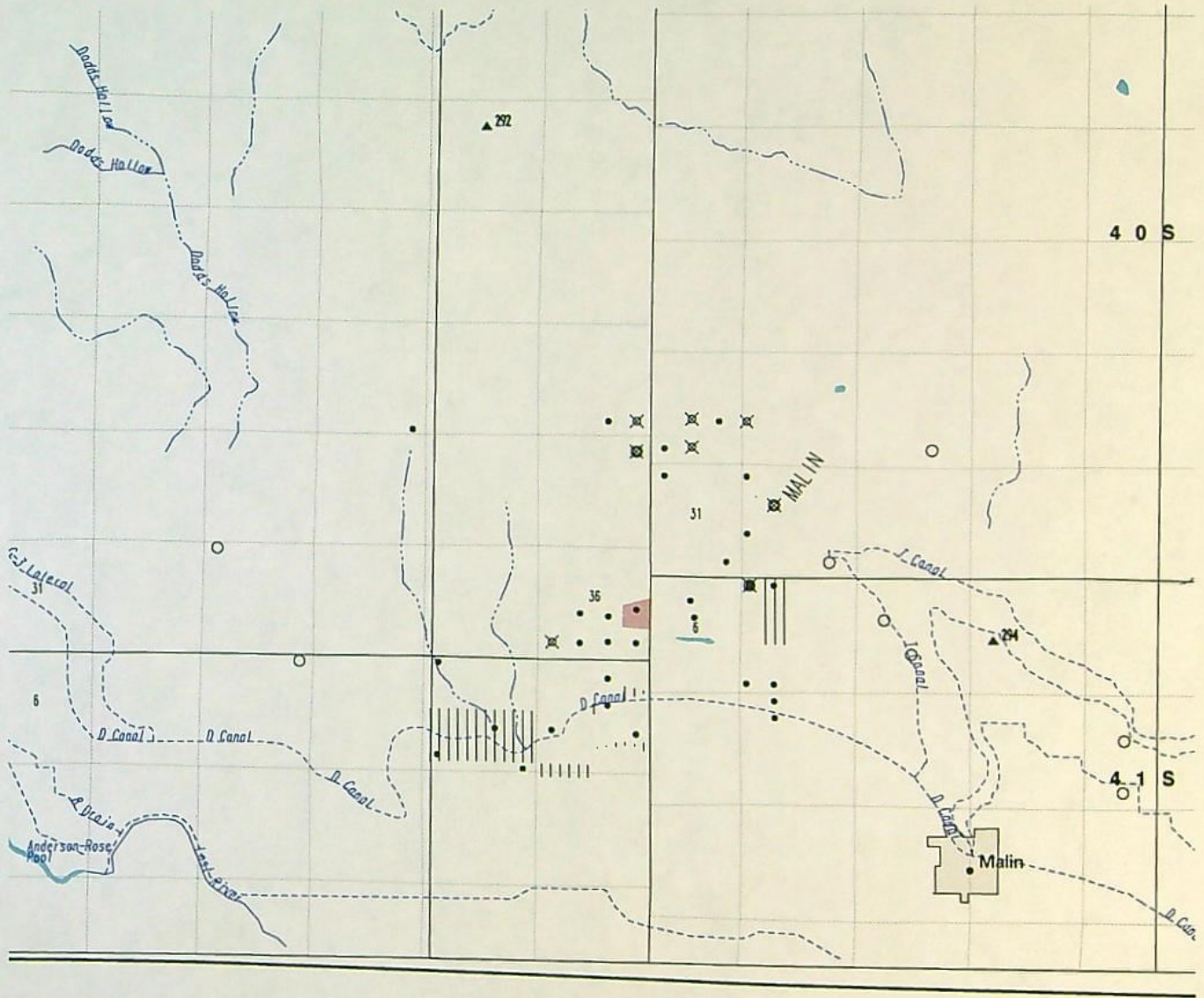
LEVEE

LEVEE

LEVEE

Wells in the vicinity of application G 15495

- Application well(s) in this 1/4-1/4 section
- Wells identified in this section from OWRD's well log database within 1 mi. radius of application well(s)
- Well(s) identified in this 1/4-1/4 section from OWRD's well log database within 1 mi. radius of application well(s)
- ⊗ Permitted well(s) in this 1/4-1/4 section within 1 mi. radius of application well(s)
- Conditioned, permitted well(s) in this 1/4-1/4 section within 5 mi. radius of application well(s)
- ▲ OWRD Observation well and well-id within 5 mi. radius of application well(s)
- Critical GW Area
- - - Regulated GW Area



WELLS WITHIN 1 MILE OF G 15495

DO	31
DS	3
IR	3
LV	1
MO	60

1 2 E

PERMITTED WELLS WITHIN 1 MILE OF APPLICATION G 15495

\$RECNO	APPLICATION	PERMIT	LOC-QQ	USE	RATE	DIV-UNITS
1	G	10637	G 9774	40.00S11.00E25NENE IR	0.8600	C
2	G	12810	G 11664	40.00S11.00E25SENE IR	1.6600	C
3	G	5377	G 5310	40.00S11.00E36SWSW IR	4.3400	C
4	G	9516	G 9029	40.00S12.00E30NESW IR	0.1500	C
4	G	12978	G 11545	40.00S12.00E30NESW IS	1.5900	C
5	G	9659	G 8990	40.00S12.00E30NESE IR	1.7900	C
5	G	13219	G 12590	40.00S12.00E30NESE IS	1.5800	C
5	G	13749	G 12862	40.00S12.00E30NESE IR	0.3930	C
6	G	12335	G 11248	40.00S12.00E30SESW IR	0.9800	C
7	G	12918	G 11506	40.00S12.00E32SWNW IS	3.6600	C
7	G	12935	G 12248	40.00S12.00E32SWNW IS	3.6600	C
7	G	12935	G 12432	40.00S12.00E32SWNW IS	3.6600	C
8	G	13067	G 11585	41.00S12.00E 6NENE IR	0.9400	C
8	G	13816	G 11822	41.00S12.00E 6NENE IS	422.0000	G
8	G	12808	G 12254	41.00S12.00E 6NENE IS	0.9400	C
8	G	12808	G 12430	41.00S12.00E 6NENE IS	0.9400	C

CONDITIONED WELLS WITHIN 5 MILES OF APPLICATION G 15495

\$RECNO	APPLICATION	PERMIT	LOC-QQ	CONDITION-CODE
1	G	12810	G 11664	40.00S11.00E25SENE 4IG
1	G	12810	G 11664	40.00S11.00E25SENE 4IR
2	G	12951	G 11547	40.00S11.00E33NWNW DRF
3	G	12943	G 11520	40.00S12.00E28SWSE DRF
4	G	12918	G 11506	40.00S12.00E32SWNW DRF
4	G	12935	G 12248	40.00S12.00E32SWNW
4	G	12935	G 12432	40.00S12.00E32SWNW
5	G	13023	G 11571	40.00S12.00E32SWSE DRF
6	G	13067	G 11585	41.00S12.00E 6NENE DRF
6	G	13816	G 11822	41.00S12.00E 6NENE 3BW
6	G	13816	G 11822	41.00S12.00E 6NENE 4IG
6	G	13816	G 11822	41.00S12.00E 6NENE 4IR
6	G	13816	G 11822	41.00S12.00E 6NENE DRF
6	G	12808	G 12254	41.00S12.00E 6NENE
6	G	12808	G 12430	41.00S12.00E 6NENE
7	G	12942	G 11516	41.00S12.00E 4NWSW DRF
7	G	13817	G 11823	41.00S12.00E 4NWSW 3BW
7	G	13817	G 11823	41.00S12.00E 4NWSW 4IG
7	G	13817	G 11823	41.00S12.00E 4NWSW 4IR
7	G	13817	G 11823	41.00S12.00E 4NWSW DRF
7	G	12777	G 12253	41.00S12.00E 4NWSW
7			G 12429	41.00S12.00E 4NWSW
8	G	13023	G 11571	41.00S12.00E 9NENW DRF
9	G	13024	G 11572	41.00S12.00E14SENW DRF
10	G	12771	G 11549	41.00S12.00E23NENW DRF
11	G	13033	G 11573	41.00S11.00E 4NENE DRF

APPLICATION G 15495 FALLS WITHIN THESE QUAD(S)

MALIN

Mailing List for FO Copies

Application #G-15495

Mailing List Print Date: April 21, 2003

Original mailed to (when permit issued, include copy of permit map) :

Applicant: JO ANN WOLLENHORST-RUSS & RUDOLPH PAYGER,
17823 COUNTRY RD 85B, EPARTO, CA 95627

Copies Mailed	
By: _____	(SUPPORT STAFF)
on: 5/1/03	(DATE)

For FO w/Permit - Copies sent to:

1. WRD - File # G-15495
2. WRD - Ken Stahr

For FO w/ Permit - FO and Map Copies sent to (Remember to reduce copy margins):

3. WRD - Data Center
4. WRD - Watermaster District #:17, DEL SPARKS

For FO w/Draft Permit, w/Permit, or for Denial - Copies to Other Interested Persons (*CWRE, Agent, Well Driller, Commenter, etc.*)

5. DENNIS ENSOR, TRU-LINE SURVEYING, 2333 SUMMERS LN, KLAMATH FALLS, OR 97603

6. _____

7. _____

For FO w/Draft Permit or w/Permit - "\$10 LETTER" sent to Interested Persons who have not protested or paid for copies

1. JERRY DERRY, 30180 PICKETT RD, MALIN, OR 97632 _____

2. _____

CASEWORKER: AMH

REMINDER TO CASEWORKER:

If this application has a fish screening requirement, include a copy of the ODFW fish screen requirement sheet at
s:\groups\wr\Resource
Center\forms\general\fishscreencriteria.wpd

FO CHECKLIST

FILE # G15495
 PFO WEEK # 395
 FO WEEK # 373

PFO TO FO CONVERSION

REVIEW DATE: 4/21/03
 INITIALS: AB
 WM District 17
 Region Mgr N/A
 ODFW Bio N/A

Applicant Name and Mailing (if assignment or changes to address make sure to list new information)

Address: see pfo list

In preparing to create the FO, you should check the following:

1. Y / N Were comments received? If so, **from whom** and **when**? _____

Respond to significant comments, issues, or disputes related to the proposed use of water (see notes, if any, listed above)

2. On the PFO CC list, verify names and mailing addresses of **ALL** commentors (regardless of comment date, **affected landowners**, and **those who paid the \$10 fee**.)

see list. \$10 letter sent, no response

3. N / NA Have affected land owners been notified? If not, refer to #9.

4. Y / N / NA Has ODFW asked for self certification of screening condition?
 If so, write "ODFW CERT" in the permit block on the front of the file.

5. Y / N Do the PFO conclusions require modification? Why? _____

6. Correct PFO errors (such as POD or POU location (verify from map))

7. Include or exclude permit conditions.

8. Verify Payment of recording fees (*circle the appropriate option*)

(1) Issue FO w/permit if fees are paid — Prepare refund request for excess fees, **including standing fees if no protest is filed and no modifications are being made to the PFO.**

(2) Issue FO w/o permit if fees are lacking.	Exam Fee Paid	<u>250</u>
	Q fee	<u>300</u>
	Subtotal	<u>550</u>
	Recording Fee	<u>175</u>
	Total	<u>725</u>
	Amount Paid	<u>725</u>
	Amount due/refund	<u>0</u>

2.15

9. Y / N Is further processing possible? If not state reason: _____

FO Type: (circle types) DENIAL FO w/o PERMIT (REASON: Lacks Fees Lacks Easement
Lacks Approved Dam Plans and Specifications)

FO & PERMIT (Permit # G-15405)

Once FO document is completed:

10. Save WordPerfect document in M:\GROUPS\WR\FOWEEK 373.
11. Print final draft of document and submit for peer review
12. Complete routing list

The purpose of this checklist is to be used as a working document by Department staff to aid in the production of the related Initial Review, Proposed Final Order, or Final Order. It is not intended to be a complete record of all factors which were considered to produce the document, nor is it intended to serve any purpose other than that stated above.

The related Initial Review, Proposed Final Order, or Final Order is intended to stand alone as the record of factors considered in its production

Mailing List for PFO Copies

Application #G-15495

PFO Date February 18, 2003

Original mailed to:

Applicant: JO ANN WOLLENHORST-RUSS RUDOLPH PAYGR, 17823 COUNTRY RD 85 B,
EPARTO, CALIFORNIA 95627

Copies sent to:

- WRD - File # G-15495
- Water Availability: Ken Stahr

PFO and Map Copies sent to:

- WRD - Watermaster # District 17

Copies sent to Other Interested Persons (*CWRE, Agent, Well Driller, Commenter, etc.*)

- DENNIS ENSOR, TRU-LINE SURVEYING, 2333 SUMMERS LANE, KLAMATH FALLS,
OR 97603

"\$10 LETTER" sent to Interested Persons who have not protested or paid for copies

- JERRY DERRY, 30180 PICKETT RD, MALIN, OR 97632

CASEWORKER: huffmaam- WEEK 395

Copies Mailed
By: <u>JLB</u>
(SUPPORT STAFF)
on: <u>2/19/03</u>
(DATE)

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-15495

Proposed Final Order

Summary of Recommendation: The Department recommends that the attached draft permit be issued with conditions.

Application History

On MAY 10, 2001, JO ANN WOLLENHORST-RUSS AND RUDOLPH PAYGR submitted an application to the Department for the following water use permit:

- Amount of Water: 2.15 CUBIC FEET PER SECOND (CFS)
- Use of Water: SUPPLEMENTAL IRRIGATION OF 172.2 ACRES
- Source of Water: A WELL IN LOST RIVER BASIN
- Area of Proposed Use: KLAMATH County within SECTION 36, TOWNSHIP 40 SOUTH, RANGE 11 EAST, W.M., AND SECTION 1, TOWNSHIP 41 SOUTH, RANGE 11 EAST, W.M.

On January 11, 2002, the Department mailed the applicant notice of its Initial Review, determining that "*the use of 2.15 CUBIC FEET PER SECOND of water from A WELL IN LOST RIVER BASIN for IRRIGATION OF 172.2 ACRES is not allowable, and it appears unlikely that you will be issued a permit.*" The applicant did not notify the Department to stop processing the application within 14 days of that date.

On January 29, 2002, the Department gave public notice of the application in its weekly notice. The public notice included a request for comments, and information for interested persons about both obtaining future notices and a copy of the proposed final order.

Within 30 days of the Department's public notice, written comments were received from Jerry Derry, on behalf of the applicants, submitting requested information to complete the file.

On February 7, 2003, the Department completed a second groundwater review for the proposed use under this application.

In reviewing applications, the Department may consider any relevant sources of information, including the following:

- comments by or consultation with another state agency
- any applicable basin program
- any applicable comprehensive plan or zoning ordinance
- the amount of water available
- the rate and duty for the proposed use
- pending senior applications and existing water rights of record
- designations of any critical groundwater areas
- the Scenic Waterway requirements of ORS 390.835
- applicable statutes, administrative rules, and case law
- any general basin-wide standard for flow rate and duty of water allowed
- the need for a flow rate and duty higher than the general standard
- any comments received

Findings of Fact

The Klamath River Basin Compact allows IRRIGATION.

A WELL IN LOST RIVER BASIN is not within or above a State Scenic Waterway.

The Groundwater Section finds, per OAR 390.835(9), there is not a preponderance of evidence that the proposed use of groundwater will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife.

The Department determined, based upon OAR 690-09, that the proposed groundwater use will, if properly conditioned, adequately protect the surface water from interference.

An assessment of groundwater availability has been completed by the Department's Groundwater/Hydrology section. A copy of this assessment is in the file. The proposed use of groundwater will, if properly conditioned, avoid injury to existing rights and the resource.

The Department finds that the amount of water requested, 2.15 CFS, is an acceptable amount.

The proposed well is not within a designated critical ground water area.

Conclusions of Law

Under the provisions of ORS 537.153, the Department must presume that a proposed use will not impair or be detrimental to the public interest if the proposed use is allowed in the applicable basin program established pursuant to ORS 536.300 and 536.340 or given a preference under ORS 536.310(12) (i.e. the use of water is human consumption or livestock), if water is available, if the proposed use will not injure other water rights and if the proposed use complies with rules of the Water Resources Commission.

The proposed use requested in this application is allowed in the Klamath River Basin Compact, or a preference for this use is granted under the provisions of ORS 536.310(12).

Water is available for the proposed use.

The proposed use will not injure other water rights.

The proposed use complies with other rules of the Water Resources Commission not otherwise described above.

The proposed use complies with the State Agency Agreement for land use.

No proposed flow rate and duty of water higher than the general basin-wide standard is needed.

For these reasons, the required presumption has been established.

Under the provisions of ORS 537.621, once the presumption has been established, it may be overcome by a preponderance of evidence that either:

- (a) One or more of the criteria for establishing the presumption are not satisfied; or
- (b) The proposed use would not ensure the preservation of the public welfare, safety and health as demonstrated in comments, in a protest . . . or in a finding of the department that shows:
 - (A) The specific aspect of the public welfare, safety and health under ORS 537.525 that would be impaired or detrimentally affected; and
 - (B) Specifically how the identified aspect of the public welfare, safety and health under ORS 537.525 would be impaired or be adversely affected.

In this application, all criteria for establishing the presumption have been satisfied, as noted above. The presumption has not been overcome by

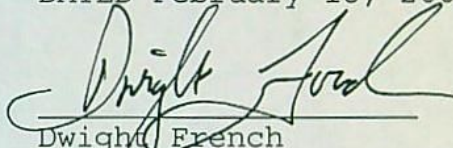
a preponderance of evidence that the proposed use would impair or be detrimental to the public interest.

The Department therefore concludes that water is available in the amount necessary for the proposed use; the proposed use will not result in injury to existing water rights; and the proposed use would ensure the preservation of the public welfare, safety and health as described in ORS 537.525.

Recommendation

The Department recommends that the attached draft permit be issued with conditions.

DATED February 18, 2003



Dwight French
Water Rights Section Manager

*If you have any questions,
please check the information
box on the last page for the
appropriate names and
phone numbers.*

Protest Rights and Standing

Under the provisions of 537.621(7), you have the right to protest this proposed final order. Your protest must be in writing, and must include the following:

- Your name, address, and telephone number;
- A description of your interest in the proposed final order, and, if you claim to represent the public interest, a precise statement of the public interest represented;
- A detailed description of how the action proposed in this proposed final order would impair or be detrimental to your interest;
- A detailed description of how the proposed final order is in error or deficient, and how to correct the alleged error or deficiency;
- Any citation of legal authority to support your protest, if known; and
- If you are not the applicant, the \$200 protest fee required by ORS 536.050 and proof of service of the protest upon the applicant.
- If you are the applicant, a statement of whether or not you are requesting a contested case hearing. If you do not request a

hearing, the Department will presume that you do not wish to contest the findings of the proposed final order.

- If you do not protest this Proposed Final Order and if no substantive changes are made in the final order, you will not have an opportunity for judicial review, protest or appeal of the final order when it is issued.

Requests for Standing

Under the provisions of 537.621(6), persons other than the applicant who support a proposed final order may request standing for purposes of participating in any contested case proceeding on the proposed final order or for judicial review of a final order. A request for standing shall be in writing, include a statement that the requester supports the proposed final order, and a statement of how the requester would be harmed if the proposed final order is modified. The fee required at the time of submitting this request is \$50.00. If a hearing is scheduled, an additional fee of \$150.00 must be submitted along with a request for intervention. Forms to request standing are available from the Department.

Your protest or request for standing must be received in the Water Resources Department no later than **April 4, 2003**.

After the protest period has ended, the Director will either issue a final order or schedule a contested case hearing. The contested case hearing will be scheduled only if a protest has been submitted and if

- upon review of the issues, the director finds that there are significant disputes related to the proposed use of water, or
- the applicant requests a contested case hearing within 30 days after the close of the protest period.

This document was prepared by Anita Huffman. If you have any questions about any of the statements contained in this document I am most likely the best person to answer your questions. You can reach me at 1-503-378-8455 extension 229.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Renee Moulun. Her extension number is 239.

If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at extension 201.

Address all other correspondence to:

Water Rights Section, Oregon Water Resources Department, 158 12th ST NE SALEM, OR 97301
Fax: (503)378-6203

huffmaam- WEEK 395

DRAFT

This is not a permit!!!
STATE OF OREGON

DRAFT

COUNTY OF KLAMATH

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

JO ANN WOLLENHORST-RUSS
RUDOLPH PAYGR
17823 COUNTRY RD 85 B
EPARTO, CALIFORNIA 95627

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-15495

SOURCE OF WATER: A WELL IN LOST RIVER BASIN

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION OF 172.2 ACRES

MAXIMUM RATE: 2.15 CUBIC FEET PER SECOND

PERIOD OF USE: APRIL 1 THROUGH SEPTEMBER 30

DATE OF PRIORITY: MAY 10, 2001

WELL LOCATION: NE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 36, T40S, R11E, W.M.; 1400 FEET NORTH
& 200 FEET WEST FROM SE CORNER, SECTION 36

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 37.9 ACRES

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 24.8 ACRES

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 18.3 ACRES

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 34.0 ACRES

SECTION 36

TOWNSHIP 40 SOUTH, RANGE 11 EAST, W.M.

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 20.4 ACRES

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 36.8 ACRES

SECTION 1

TOWNSHIP 41 SOUTH, RANGE 11 EAST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Before Use of Water Takes Place

Initial and Annual Measurements

The Department requires the permittee to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

After Use of Water has Begun

Reference Water Level Determination

Following the first year of water use, the user shall submit one static water level measurement in the month specified above which will establish the reference level against which future annual measurements will be compared. The water user is not required to measure additional water levels after the reference level has been determined unless required by the Director. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided

by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement; and
- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if annual water level measurements reveal any of the following events:

- (A) An average water level decline of three or more feet per year for five consecutive years; or
- (B) A water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) A water level decline of 25 or more feet; or
- (D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

If it is determined there are no underlying rights for these same lands after the adjudication of claims in the Klamath Basin, a certificate resulting from use of water under this permit may allow primary, rather than supplemental, irrigation of the lands described above. However, the right evidenced by such a certificate will be limited to the actual use made under this permit.

STANDARD CONDITIONS

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department

approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Complete application of the water to the use shall be made on or before October 1, 2007. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued _____, 2003

DRAFT - THIS IS NOT A PERMIT

Paul R. Cleary, Director
Water Resources Department

REAL ESTATE TRANSACTIONS: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.

MAP TO ACCOMPANY GROUND WATER APPLICATION

SITUATED IN THE SE1/4 OF SECTION 36, T40S, R11EWM,
AND THE N1/2 OF THE NE1/4 OF SECTION 1, T41S,
R11EWM, KLAMATH COUNTY, OREGON
APRIL, 2001

RECEIVED

FEB 07 2002

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. *g 15495*
Permit No.

MAP PREPARED FOR

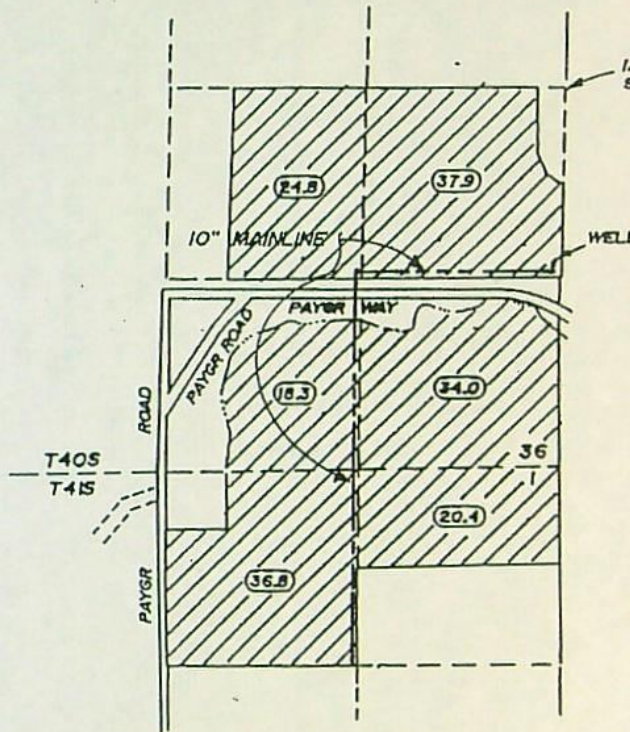
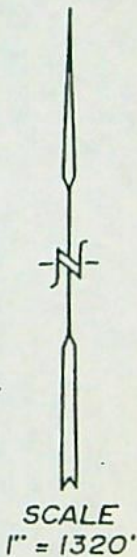
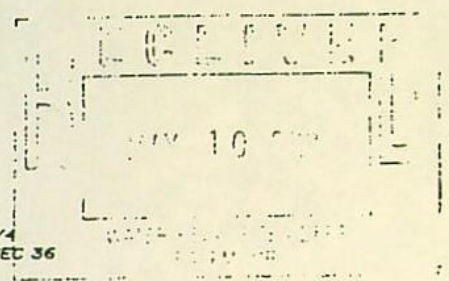
RAYMOND RUSS &

JO ANNE WALLENHORST-RUSS

MAP PREPARED FROM

--ASSESSORS MAP--

--RUDOLPH & MARY PAYGR--



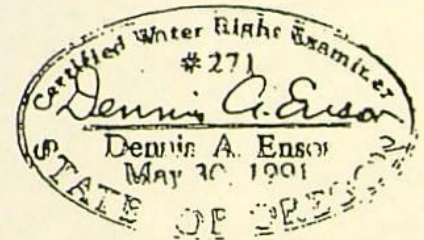
TOTAL AREA
THIS APPLICATION
--172.2 Ac.--

LOCATION OF PROPOSED WELL BY OWNER

1400 FEET NORTH AND 200 FEET WEST OF
THE SECTION CORNER BETWEEN 36 AND 1



LANDS THIS APPLICATION



THE PURPOSE OF THIS MAP IS TO IDENTIFY THE
LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED
TO PROVIDE INFORMATION RELATIVE TO THE
LOCATION OF PROPERTY OWNERSHIP BOUNDARY
LINES.

TRU-LINE SURVEYING, INC.
2333 SUMMERS LANE
KLAMATH FALLS, OREGON 97603

PFO CHECKLIST

Application #: G-15495

Basin: Klamath

WID: _____

County Klamath Township 40S Range 11E Section 36 1/4 1/4 _____
41S 11E 1

- 1. Is the file complete by the Minimum Requirements Checklist? Y/N
- 2. Shortcomings (items needed before a permit and/or FO can be issued) Y/N
Check file for indicators that the process **should not** continue until a later date (ie - protest, letter to file indicating hold, or other)
- 3. Groundwater ^{Superseding} Review A B C D River/Stream Name _____ Conditions TE
 - a. Groundwater Availability A B C
 - b. Is second groundwater review necessary? (comments) Y/N superseding
 - c. Is HB 1033 review complete? Y/N
 - d. Is the well located in a GWLA or CA? (If applicable, include map with POD) Y/N
- 4. Is use from a B.O.R. or Douglas County project? Y/N Contract in file? Y/N Contract # _____
- 5. Is the use allowed by the Basin Program? Y/N Limited? Y/N Klamath Compact
- 6. Water Availability Data OK / REDONE NA (50% before July 17, 1992; 80% live flow & 50% storage after July 17, 1992)
- 7. Is the source withdrawn or limited by statute or Department withdrawal order? Y/N
- 8. Is the Proposed Use located in or above a Scenic Waterway? Y/N
- 9. Division 33: Above Bonn (after July 17, 1992) Y/N/NA
Below Bonn (after April 8, 1994; June 3, 1994) Y/N/NA
Statewide - (in shaded areas on T, E, and S Map - after June 3, 1994) Y/N/NA

- 10. Per the IR, is the Proposed Source on the DEQ 303d List? Y/N If so, any comments received? Y/N
Is the Proposed Use in an existing or draft Dept of Ag. Water Quality Management Plan Area? Y/N
- 11. Have conflicts been addressed? Y/N 2/7/03 performed no conflicts - ADD Klamath condition
- 12. Rate 1/80 Duty 3 Irrigation Season 3/1-9/31
- 13. Period of Allowed Use 4/1-9/31 (requested)
- 14. Allowed Rate of Use 2.15 cfs

- 15. Is the use **Small** (≤ 0.1 cfs, ≤ 9.2 AF), **Medium** (> 0.1 or < 1.5 cfs, > 9.2 or < 100 AF) or **Large** (≥ 1.5 cfs, ≥ 100 AF)?
If the use is Municipal and ≤ 0.1 CFS, use Large condition.
- 16. Conditions TE, Klamath Compact
Is the proposed use within the New River Basin? Y/N If yes, include New River Agreement Conditions.
- 17. IR Public Notice Date 1/29/02 Comments Received? Y/N info rec'd that was requested
- 18. Was the application filed on or after October 23, 1999? Y/N If yes, then no A date.

- 19. Final Report Checklist
 - Documents used in determination are attached to this checklist and highlighted
 - Fill out PFO CC List (don't forget to check for other property owners)
 - a. Re-notify Water Availability? (Rate, Duty and Period of Allowed Use changes) Y/N
 - b. Check Watermaster Dist. on the CC list and draft permit.
 - Spell Check and Accuracy Check
 - Final PFO report hard copy check (format, margins, etc.)
 - Final PFO has been saved to m:\groups\lwr\pfo\done\week#application #

Name: _____ Date: 2/10/03

3 = 400 155
150
530
175
725

Platcard Report

Township 41S Range 11E Section 1

App# Priority	Permit/ Certificate	Claim/ Decree	Status dlc/lot	NE				NW				SW				SE				Govt Lot	DLC	
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
1	-	-	KL293 dlc: 0 lot: 0		2.0 1'	3.0 1'	0.3 1'					2.9 1'		3.6 1'		0.6 1'						
			dlc: 0 lot: 0	39.9 IL	36.8 IL	34.9 IL	36.7 IL	26.9 IL	4.4 IL	20.3 IL	38.5 IL	37.1 IL	19.7 IL	36.4 IL	39.3 IL	35.6 IL	38.2 IL	38.3 IL	39.8 IL			
1	-	-	KL321 dlc: 0 lot: 0	41.7 0	37.0 0	35.4 0	38.1 0	24.9 0	4.8 0	19.2 0	37.2 0	37.5 0	14.3 0	33.5 0	37.4 0	37.3 0	36.0 0	38.8 0	40.4 0			
1	-	-	KL323 dlc: 0 lot: 0	41.7 0	37.0 0	35.4 0	38.1 0	24.9 0	4.8 0	19.2 0	37.2 0	37.5 0	14.3 0	33.5 0	37.4 0	37.3 0	36.0 0	38.8 0	40.4 0			
			dlc: 0 lot: 0	39.9 IL	36.8 IL	19.7 IL	14.5 IL	24.7 IL	4.4 IL	12.5 IL	29.5 IL	0.2 IL	1.5 IL									
1	03/22/1971	G5310 -	CN T6748					21.0 IR CN	8.0 IR CN		29.0 IR CN											
1	G15043 10/04/1999	-		38.2 IR (s)	38.8 IR (s)	21.1 IR (s)	15.2 IR (s)	26.9 IR (s)	4.2 IR (s)	13.5 IR (s)	33.4 IR (s)	1.2 IR (s)	2.6 IR (s)									
1	G15381 05/10/2001	G13940 -	CN	20.4 IS (s) CN	36.8 IS (s) CN																	
1	G15390 05/17/2001	G13946 -	CN		20.0 IS (s) CN	35.4 IS (s) CN										37.3 IS (s) CN	35.4 IS (s) CN					
1	G15394 05/17/2001	G13956 -	CN	14.0 IS (s) CN																		

DNA

Dredge

Dredge

Dredge

Page: 1 2 Next Last

[Return to Platcard Query Screen](#)

Paul R. Cleary, Director

Platcard Report

Township 40S Range 11E Section 36

					NE				NW				SW				SE					
App# Priority	Permit/ Certificate	Claim/ Decree	Status dlc/lot		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Govt Lot	DLC
①	-	-	KL293	dlc: 0 lot: 0													0.8 I*		5.3 I*			
	-			dlc: 0 lot: 0			0.7 IL	0.9 IL									37.9 IL	24.8 IL	18.3 IL	34.0 IL		
①	-	-	KL323	dlc: 0 lot: 0													38.8 IL	25.5 IL	18.3 IL	34.0 IL		
①	G5377 03/22/1971	G5310 48022					25.0 IR	10.6 IR			18.4 IR		17.8 IR	24.6 IR	33.2 IR	32.4 IR						
①	G12810 03/06/1992	G11664 74458			16.26 IR																	
①	G15381 05/10/2001	G13940 -		CN													37.9 IS (s) CN	24.8 IS (s) CN	18.3 IS (s) CN	34.0 IS (s) CN		
①	G15394 05/17/2001	G13956 -		CN																	20.0 IS (s) CN	
①	G15495 05/10/2001	-															37.9 IR	24.8 IR	18.3 IR	34.0 IR		

NUP

Page:1

[Return to Platcard Query Screen](#)

Paul R. Cleary, Director
Oregon Water Resources Department • 158 12th ST. NE • Salem, OR 97310 • Phone: (503)378-8455 • Fax: (503)378-2496

Run Time: 5 seconds

Platcard Report

Township 41S Range 11E Section 1

					NE				NW				SW				SE						
App# Priority	Permit/ Certificate	Claim/ Decree	Status dlc/lot		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Govt Lot	DLC	
i G15407 05/24/2001	G13973 -		CN					8.7 IS (s) CN															
i G15495 05/10/2001	- -				20.4 IR	36.8 IR																	
i G15550 06/28/2001	- -							7.9 IR (s)															

Sub

Page: [First](#) [Previous](#) [1](#) [2](#)

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Paul R. Cleary, Director

Oregon Water Resources Department • 158 12th ST. NE • Salem, OR 97310 • Phone: (503)378-8455 • Fax: (503)378-2496

Run Time: 1 seconds

Analysis for Application: G15495**Location: 40S-11E-36-NESE**

Uses: IR 37.9 P

Basins

BASIN_NUM	BASIN_NAME
14	Klamath

Records Found: 1

WaterMaster Districts

WATERDIST	REGION	ACRES	SQ_MILES	WMASTER	ADDRESS	CITY	ZIP	PHONE
17	SC	3441627	5377	Del Sparks	5170 Summers Lane	Klamath Falls	97603-8248	541-883-4182

Records Found: 1

WAB Records Found: 0**County**

COUNTY	FIPS
Klamath	41035

Records Found: 1

Groundwater Restricted Records Found: 0**Divison 33 Area Records Found: 0****Rule 4D Records Found: 0****303D Streams Records Found: 0****303D Lakes Records Found: 0****Location: 40S-11E-36-NWSE**

Uses: IR 24.8 P

Basins

BASIN_NUM	BASIN_NAME
14	Klamath

Records Found: 1

WaterMaster Districts

WATERDIST	REGION	ACRES	SQ_MILES	WMASTER	ADDRESS	CITY	ZIP	PHONE
17	SC	3441627	5377	Del Sparks	5170 Summers Lane	Klamath Falls	97603-8248	541-883-4182

Records Found: 1

WAB Records Found: 0**County**

COUNTY	FIPS
Klamath	41035

Records Found: 1

Groundwater Restricted Records Found: 0**Divison 33 Area Records Found: 0****Rule 4D Records Found: 0****303D Streams Records Found: 0****303D Lakes Records Found: 0**

Location: 40S-11E-36-SESE

Uses: IR 34 P

Basins

BASIN_NUM	BASIN_NAME
14	Klamath

Records Found: 1

WaterMaster Districts

WATERDIST	REGION	ACRES	SQ_MILES	WMASTER	ADDRESS	CITY	ZIP	PHONE
17	SC	3441627	5377	Del Sparks	5170 Summers Lane	Klamath Falls	97603-8248	541-883-4182

Records Found: 1

WAB Records Found: 0

County

COUNTY	FIPS
Klamath	41035

Records Found: 1

Groundwater Restricted Records Found: 0

Divison 33 Area Records Found: 0

Rule 4D Records Found: 0

303D Streams Records Found: 0

303D Lakes Records Found: 0

Location: 40S-11E-36-SWSE

Uses: IR 18.3 P

Basins

BASIN_NUM	BASIN_NAME
14	Klamath

Records Found: 1

WaterMaster Districts

WATERDIST	REGION	ACRES	SQ_MILES	WMASTER	ADDRESS	CITY	ZIP	PHONE
17	SC	3441627	5377	Del Sparks	5170 Summers Lane	Klamath Falls	97603-8248	541-883-4182

Records Found: 1

WAB Records Found: 0

County

COUNTY	FIPS
Klamath	41035

Records Found: 1

Groundwater Restricted Records Found: 0

Divison 33 Area Records Found: 0

Rule 4D Records Found: 0

303D Streams Records Found: 0

303D Lakes Records Found: 0

Location: 41S-11E-1-NENE

Uses: IR 20.4 P

Basins

BASIN_NUM	BASIN_NAME
14	Klamath

Records Found: 1

WaterMaster Districts

WATERDIST	REGION	ACRES	SQ_MILES	WMASTER	ADDRESS	CITY	ZIP	PHONE
17	SC	3441627	5377	Del Sparks	5170 Summers Lane	Klamath Falls	97603-8248	541-883-4182

Records Found: 1

WAB Records Found: 0**County**

COUNTY	FIPS
Klamath	41035

Records Found: 1

Groundwater Restricted Records Found: 0**Divison 33 Area** Records Found: 0**Rule 4D** Records Found: 0**303D Streams** Records Found: 0**303D Lakes** Records Found: 0**Location: 41S-11E-1-NWNE**

Uses: IR 36.8 P

Basins

BASIN_NUM	BASIN_NAME
14	Klamath

Records Found: 1

WaterMaster Districts

WATERDIST	REGION	ACRES	SQ_MILES	WMASTER	ADDRESS	CITY	ZIP	PHONE
17	SC	3441627	5377	Del Sparks	5170 Summers Lane	Klamath Falls	97603-8248	541-883-4182

Records Found: 1

WAB Records Found: 0**County**

COUNTY	FIPS
Klamath	41035

Records Found: 1

Groundwater Restricted Records Found: 0**Divison 33 Area** Records Found: 0**Rule 4D** Records Found: 0**303D Streams** Records Found: 0**303D Lakes** Records Found: 0

IR CHECKLIST

Application # G15495 Priority Date: 5/10/01
Basin: 14-KLAM County: KLAM Watermaster District: # 17
Township: 40S Range: 11E Section: 36 1/4 1/4 NESE
WID: # _____ POU WID: # _____

1. Complete by Minimum Requirements checklist? Yes No Map-mainline, ROW for road
Items still required: (unless not public road)

2. ☆Groundwater/Surface Water Interference: A B C D If "A", indicate River/Stream _____

☆Groundwater Availability: A B C ☆Conditions to be included on IR? List under Item #23 (over)

★★PLEASE NOTE: If GW / SW Interference (above) = "B", "C" or "D".....Skip Items #3, #4, #5 & #14

3. Basin Maps checked? Yes No _____

4. Within or above a Scenic Waterway? Yes No _____ Scenic Waterway
If Yes.....cc: State Parks Dept. Conditions/Restrictions? Yes No _____

5. Within Oregon Streamflow Restoration Area? Yes No ...If Yes, include Streamflow Restoration Block
w/IN Shasta Urew

6. Is the well located in a groundwater limited area? Yes No Name ID GW Limited Area _____

7. Is the well located in T. 1N, R. 3E, Sec. 20, 21, 28, 29? Yes No If Yes...Notify DEQ immediately!!!
If Yes...cc: Andy Schaedel, NW Region Water Quality Manager, 2020 SW Fourth Ave, Portland, OR 97201
Call Andy at Phone #: 503-229-6121 & E-mail Andy at: "SMTPschaedel.andrew.l@deq.state.or.us"

8. Requested Use & Rate: IRR 172.2 Ac / 966 gpm (2.15 cfs) max

9. Season requested by applicant: 4/1-9/31

10. For Irrigation: Rate 1/60 Duty 3 Season 3/1-10/31

11. For Nursery or Cranberry: Rate _____ Duty _____ Season ORS

12. Allowed under Basin Program? Yes No Klam-compact 542.620
Limitations? Yes No _____

13. Withdrawn? Yes No Season Allowed: _____

14. Water Availability Applies: Yes No 80% or 50% _____

15. Conflict? Yes No per Dwight French memo 12/21/01, no conflict check performed

16. BOR project? Yes No If Yes... Contract # and Duty: _____

17. Land use approval: OK'd Needs Approval County Notified N/A

18. Subject to Division 33: Yes No N/A = Well does not have the potential for substantial interference
★ Upper Columbia Div 33 Rules (Above Bonneville)? Yes No

If Yes..... **NO WATER USE ALLOWED** from **APRIL 15** thru **SEPTEMBER 30** of each year
❖❖❖(EXCEPT for Domestic Use & other Exempt uses under OAR 690-33-140)❖❖❖

- cc: ODFW Biologist District # _____ NMFS.....Marc Liverman
- Columbia River Intertribal Fish Commission Dept. Of Agriculture.....Steve Applegate
- US Fish & Wildlife DEQ → East Region - Dick Nichols, Bend
- NW Power Planning Council → West Region - John Blanchard, Medford
- Northwest Region - Andy Schaedel, Portland

★ Statewide Div 33 Rules ("Sensitive" anywhere in state & "Threatened or Endangered" OUTSIDE Columbia Basin)? Yes No

- If Yes...cc: ODFW Biologist District # _____
- Steve Applegate.....Dept. of Agriculture → Above Bonneville: "B54B"
- DEQ → East Region - Dick Nichols, Bend → Below Bonneville: "PISPC"
- West Region - John Blanchard, Medford ❖❖NOTE: If "Q" is over 1.0 CFS,
- Northwest Region - Andy Schaedel, Portland See: OAR 690-33-220(3)

19. On DEQ 303d (Water Quality Limited) list? Yes No If Yes...cc: appropriate Regional Water Quality Manager
 East Region-Dick Nichols, Bend West Region-John Blanchard, Medford NW Region-Andy Schaedel, Portland

20. Within Dept. of Ag Water Quality Management Area? Yes No If Yes.....cc: Mike Wolf - Dept. of Ag

ADOPTED: TUALATIN__ BEAR CREEK(ROGUE)__ UMATILLA__ UPR GRANDE RONDE__ YAMHILL__ LWR DESCHUTES__
LWR COLUMBIA/CLATSKANIE__ LWR COLUMBIA__ NECANICUM__ NEHALEM__ WILSON/TRASK/NESTUCCA__

IN COMMITTEE: CLACKAMAS__ MOLALLA/PUDDING__ FRENCH/PRAIRIE__ N SANTIAM__ MCKENZIE__ COAST/MID WILLAMETTE__
LWR COLUMBIA/SANDY__ COQUILLE__ COOS__ LWR ROGUE__ MID ROGUE__ UPR ROGUE__ APPLGATE__ ILLINOIS__
UMPQUA__ N UMPQUA__ S UMPQUA__ HOOD__ UPR JOHN DAY__ N FK JOHN DAY__ MID FK JOHN DAY__ WALLA WALLA__
BUTTE__ SPRAGUE__ WILLIAMSON__ UPR KLAMATH LK__ KLAMATH LK__ LWR GRANDE RONDE__ IMNAHA__ LOST RIVER__
MID DESCHUTES__ WILLOW/MALHEUR__ BULLY__ LWR MALHEUR__ UPR MALHEUR__ FAREWELL BEND__ MID SNAKE/PAYETTE__

21. WM District: NWR: 1 2 16 18 20 NCR: 3 4 5 ER: 6 8 9 10 SCR: 11 12 17 SWR: 13 14 15 19

22. Initial Review will be: GOOD LIMITED BAD BAD W/IR SHORT BAD W/HC EXCEPT

23. ☆Proposed Allowed Use & Rate: IRR 172.2 ACR 2.15 c/s

☆Proposed Allowed Period of Use: 4/1 - 9/30

☆Measuring condition: Small Medium Large

☆Conditions (BOR, GW, other)? Yes No Shasta view statement, 7B

Reviewer's Name: [Signature] Date: 12/31/01

This article shall become effective upon its enactment by the States of Idaho, Montana, Oregon and Washington and upon ratification by Congress by virtue of the authority vested in it under section 10, Article I of the United States Constitution.

ARTICLE XI

This compact shall continue in force and remain binding upon each state until renounced by it. Renunciation of this compact must be preceded by sending six months' written notice of intention to withdraw from the compact to the other parties hereto.

ARTICLE XII

The State of Nevada or any state having rivers or streams tributary to the Columbia River may become a contracting state by enactment of the Columbia River Natural Resources Management Compact. Upon admission of any new state to the compact, the purposes of the compact and the duties of the commission shall extend to the development of joint programs for the use and governance of the Columbia River and its natural resources in which the contracting states share mutual concerns.

This article shall become effective upon its enactment by the States of Idaho, Montana, Oregon and Washington and upon ratification by Congress by virtue of the authority vested in it under section 10, Article I of the United States Constitution.

[1999 c.540 §1]

Note: 542.550 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 542 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

KLAMATH RIVER BASIN COMPACT

542.610 Klamath River Basin Compact ratified; when effective. (1) The Legislative Assembly of the State of Oregon hereby ratifies the Klamath River Basin Compact set forth in ORS 542.620, and the provisions of such compact hereby are declared to be the law of this state upon such compact becoming effective as provided in subsection (2) of this section.

(2) The compact shall become effective when it has been ratified by the legislatures of the States of California and Oregon, and has been consented to by the Congress of the United States as provided in Article XIII of the compact. [1957 c.142 §1]

Note: The Klamath River Basin Compact became effective on September 11, 1957. The compact was ratified by the State of California by chapter 113, California Statutes 1957 (signed by Governor on April 17, 1957, and effective on September 11, 1957). The Congress of the United States consented to the compact by Public Law

222, 85th Congress (signed by President on August 30, 1957).

542.620 Klamath River Basin Compact. The provisions of the Klamath River Basin Compact are as follows:

ARTICLE I PURPOSES

The major purposes of this compact are, with respect to the water resources of the Klamath River Basin:

A. To facilitate and promote the orderly, integrated and comprehensive development, use, conservation and control thereof for various purposes, including, among others: The use of water for domestic purposes; the development of lands by irrigation and other means; the protection and enhancement of fish, wildlife and recreational resources; the use of water for industrial purposes and hydroelectric power production; and the use and control of water for navigation and flood prevention.

B. To further intergovernmental cooperation and comity with respect to these resources and programs for their use and development and to remove causes of present and future controversies by providing (1) for equitable distribution and use of water among the two states and the Federal Government, (2) for preferential rights to the use of water after the effective date of this compact for the anticipated ultimate requirements for domestic and irrigation purposes in the Upper Klamath River Basin in Oregon and California, and (3) for prescribed relationships between beneficial uses of water as a practicable means of accomplishing such distribution and use.

ARTICLE II DEFINITION OF TERMS

As used in this compact:

A. "Klamath River Basin" shall mean the drainage area of the Klamath River and all its tributaries within the States of California and Oregon and all closed basins included in the Upper Klamath River Basin.

B. "Upper Klamath River Basin" shall mean the drainage area of the Klamath River and all its tributaries upstream from the boundary between the States of California and Oregon and the closed basins of Butte Valley, Red Rock Valley, Lost River Valley, Swan Lake Valley and Crater Lake, as delineated on the official map of the Upper Klamath River Basin approved on September 6, 1956, by the commissions negotiating this compact and filed with the Secretaries of State of the two states and the General Services Administration of the United States,

which map is incorporated by reference and made a part hereof.

C. "Commission" shall mean the Klamath River Compact Commission as created by Article IX of this compact.

D. "Klamath Project" of the Bureau of Reclamation of the Department of the Interior of the United States shall mean that area as delineated by appropriate legend on the official map incorporated by reference under subdivision B of this Article.

E. "Person" shall mean any individual or any other entity, public or private, including either state, but excluding the United States.

F. "Keno" shall mean a point on the Klamath River at the present needle dam, or any substitute control dam constructed in section 36, township 39 south, range 7 east, Willamette Base and Meridian.

G. "Water" or "waters" shall mean waters appearing on the surface of the ground in streams, lakes or otherwise, regardless of whether such waters at any time were or will become ground water, but shall not include water extracted from underground sources until after such water is used and becomes surface return flow or waste water.

H. "Domestic use" shall mean the use of water for human sustenance, sanitation and comfort; for municipal purposes; for livestock watering; for irrigation of family gardens; and for other like purposes.

I. "Industrial use" shall mean the use of water in manufacturing operations.

J. "Irrigation use" shall mean the use of water for production of agricultural crops, including grain grown for feeding wildfowl.

ARTICLE III

DISTRIBUTION AND USE OF WATER

A. There are hereby recognized vested rights to the use of waters originating in the Upper Klamath River Basin validly established and subsisting as of the effective date of this compact under the laws of the state in which the use or diversion is made, including rights to the use of waters for domestic and irrigation uses within the Klamath Project. There are also hereby recognized rights to the use of all waters reasonably required for domestic and irrigation uses which may hereafter be made within the Klamath Project.

B. Subject to the rights described in subdivision A of this Article and excepting the uses of water set forth in subdivision E of Article XI, rights to the use of unappropriated waters originating within the Upper Klamath River Basin for any beneficial use in the Upper Klamath River Basin, by direct diversion or by storage for later use, may be acquired by any person after the effective

date of this compact by appropriation under the laws of the state where the use is to be made, as modified by the following provisions of this subdivision B and subdivision C of this Article, and may not be acquired in any other way:

1. In granting permits to appropriate waters under this subdivision B, as among conflicting applications to appropriate when there is insufficient water to satisfy all such applications, each state shall give preference to applications for a higher use over applications for a lower use in accordance with the following order of uses:

- (a) Domestic use,
- (b) Irrigation use,
- (c) Recreational use, including use for fish and wildlife,
- (d) Industrial use,
- (e) Generation of hydroelectric power,
- (f) Such other uses as are recognized under the laws of the state involved.

These uses are referred to in this compact as uses (a), (b), (c), (d), (e) and (f), respectively. Except as to the superiority of rights to the use of water for use (a) or (b) over the rights to the use of water for use (c), (d), (e) or (f), as governed by subdivision C of this Article, upon a permit being granted and a right becoming vested and perfected by use, priority in right to the use of water shall be governed by priority in time within the entire Upper Klamath River Basin regardless of state boundaries. The date of priority of any right to the use of water appropriated for the purposes above enumerated shall be the date of the filing of the application therefor, but such priority shall be dependent on commencement and completion of construction of the necessary works and application of the water to beneficial use with due diligence and within the times specified under the laws of the state where the use is to be made. Each state shall promptly provide the commission and the appropriate official of the other state with complete information as to such applications and as to all actions taken thereon.

2. Conditions on the use of water under this subdivision B in Oregon shall be:

(a) That there shall be no diversion of waters from the Upper Klamath River Basin, but this limitation shall not apply to out-of-basin diversions of waters originating within the drainage area of Fourmile Lake.

(b) That water diverted from Upper Klamath Lake and the Klamath River and its tributaries upstream from Keno, Oregon, for use in Oregon and not consumed therein and appearing as surface return flow and waste water within the Upper Klamath River Basin

TO: Water Rights Section

Feb. 7, 2003

FROM: Ground Water/Hydrology Section Michael Zwart
Reviewer's Name

SUBJECT: Application G- 15495

GROUND WATER/SURFACE WATER CONSIDERATIONS

1. PER THE _____ Basin rules, one or more of the proposed POA's is/is not within _____ feet/mile of a surface water source (_____) and taps a ground water source hydraulically connected to the surface water.

2. BASED UPON OAR 690-09 currently in effect, I have determined that the proposed ground water use
 - a. ___ will, or have the potential for substantial interference with the nearest
 - b. ___ will not surface water source, namely _____; or
 - c. will if properly conditioned, adequately protect the surface water from interference:
 - i. The permit should contain condition #(s) 7B;
 - ii. ___ The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. ___ The permit should be conditioned as indicated in item 4 below; or
 - d. ___ will, with well reconstruction, adequately protect the surface from substantial interference.

GROUND WATER AVAILABILITY CONSIDERATIONS

3. BASED UPON available data, I have determined that ground water for the proposed use
 - a. ___ will, or likely be available in the amounts requested without injury to prior rights
 - b. ___ will not and/or within the capacity of the resource; or
 - c. will if properly conditioned, avoid injury to existing rights or to the ground water resource:
 - i. The permit should contain condition #(s) 7E;
 - ii. ___ The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. ___ The permit should be conditioned as indicated in item 4 below; or

4.
 - a. ___ THE PERMIT should allow ground water production from no deeper than _____ ft. below land surface;
 - b. ___ The permit should allow ground water production from no shallower than _____ ft. below land surface;
 - c. ___ The permit should allow ground water production only from the _____ ground water reservoir between approximately _____ ft. and _____ ft. below land surface;
 - d. ___ Well reconstruction is necessary to accomplish one or more of the above conditions.
 - e. ___ One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

REMARKS: Supersedes review memo of June 18, 2001.

(Well Construction Considerations on Reverse Side)

WELL CONSTRUCTION (If more than one well doesn't meet standards, attach an additional sheet.)

5. THE WELL which is the point of appropriation for this application does not meet current well construction standards based upon:
- a. ___ review of the well log;
 - b. ___ field inspection by _____;
 - c. ___ report of CWRE _____;
 - d. ___ other: (specify) _____
6. THE WELL construction deficiency:
- a. ___ constitutes a health threat under Division 200 rules;
 - b. ___ commingles water from more than one ground water reservoir;
 - c. ___ permits the loss of artesian head;
 - d. ___ permits the de-watering of one or more ground water reservoirs;
 - e. ___ other: (specify) _____
7. THE WELL construction deficiency is described as follows: _____
8. THE WELL a. ___ was, or constructed according to the standards in effect at the time of
b. ___ was not original construction or most recent modification.
c. ___ I don't know if it met standards at the time of construction.

RECOMMENDATION:

- A. ___ I recommend including the following condition in the permit:
"No water may be appropriated under terms of this permit until the well(s) has been repaired to conform to current well construction standards and proof of such repair is filed with the Enforcement Section of the Water Resources Department."
- B. ___ I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Enforcement Section of the Water Resources Department.
- C. ___ REFER this review to Enforcement Section for concurrence.

THIS

SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

I concur in G/H's recommendation A or B above relating to conditioning or withholding the permit

_____, 199__.

(Signature)

I do not concur in G/H's recommendation A or B above relating to conditioning or withholding the permit for the following reasons: _____

_____, 199__.

(Signature)

Water Right Conditions
Tracking Slip

Groundwater/Hydrology Section

FILE ## G-15495

ROUTED TO: Water Rights

TOWNSHIP/

RANGE-SECTION: 40S/11E-36 da

CONDITIONS ATTACHED? []yes []no

REMARKS OR FURTHER INSTRUCTIONS:

See memo to file

Reviewer: Michael Zwart

TO: Water Rights Section

June 18, 2001

FROM: Groundwater/Hydrology Section

Michael Zwart
Reviewer's Name

SUBJECT: Application G-15495

GROUNDWATER/SURFACE WATER CONSIDERATIONS

1. PER THE _____ Basin rules, one or more of the proposed POA's is/is not within _____ feet/mile of a surface water source (_____) and taps a groundwater source hydraulically connected to the surface water.
2. BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use
- a. ___ will, or _____ have the potential for substantial interference with the nearest
 - b. ___ will not _____ surface water source, namely _____; or
 - c. will if properly conditioned, adequately protect the surface water from interference:
 - i. The permit should contain condition #(s) 7B;
 - ii. ___ The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. ___ The permit should be conditioned as indicated in item 4 below; or
 - d. ___ will, with well reconstruction, adequately protect the surface from substantial interference.

GROUNDWATER AVAILABILITY CONSIDERATIONS

3. BASED UPON available data, I have determined that groundwater for the proposed use
- a. ___ will, or _____ likely be available in the amounts requested without injury to prior rights
 - b. ___ will not _____ and/or within the capacity of the resource; or
 - c. ___ will if properly conditioned, avoid injury to existing rights or to the groundwater resource:
 - i. ___ The permit should contain condition #(s) _____;
 - ii. The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. ___ The permit should be conditioned as indicated in item 4 below; or
- 4.
- a. ___ THE PERMIT should allow groundwater production from no deeper than _____ ft. below land surface;
 - b. ___ The permit should allow groundwater production from no shallower than _____ ft. below land surface;
 - c. ___ The permit should allow groundwater production only from the _____ groundwater reservoir between approximately _____ ft. and _____ ft. below land surface;
 - d. ___ Well reconstruction is necessary to accomplish one or more of the above conditions.
 - e. ___ One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

REMARKS: See memo to file for special recommendations;
Consult with Dwight French re: letter to applicants.

(Well Construction Considerations on Reverse Side)

**OREGON WATER RESOURCES DEPARTMENT
INTEROFFICE MEMO**

To: Ground Water files Date: June 18, 2001

From: Michael J. Zwart

Subject: Application Review: G-15495, JoAnn Wollenhorst-Russ & Rudolph Paygr

This application proposes to use about 966 gpm from one proposed well for supplemental irrigation of 172.2 acres (see also file G-15381). There is no proposed well construction information and therefore I would normally return the file for completion prior to review. However, based on my earlier review, the well will very likely produce water from a confined to semiconfined aquifer developed in Tertiary basalt rocks, likely the Basalt of Basin and Range (Tb2) as mapped by Sherrod and Pickthorn (1992).

The proposed well is about 1500 feet from an unnamed pond and about 3300 feet from the D Canal. There is no potential for substantial interference with surface water sources, based on the confined to semiconfined nature of the targeted aquifer.

The proposed location is only about 600 feet from the well for file G-15327. This raises a concern about potential for interference with senior rights to appropriate ground water. I do not believe that substantial interference (690-08-001(8)) will be caused, but it may be wise for the applicants to consider moving the proposed well site farther from the existing well to minimize mutual well interference.

This application for supplemental irrigation is for the same source of water as that for pending application G-15043 (Shasta View Irrigation District) which also covers these lands. That application is on administrative hold pending the results of an ongoing long-term test at one of the proposed wells. At this time I am unable to make a finding as to whether ground water is available for the proposed use. I recommend that the applicant be notified that a finding will be possible by no later than early 2002. I also recommend that the applicant request an administrative hold on this application.

I also recommend permit condition 7B.

G-15495

February 6, 2002

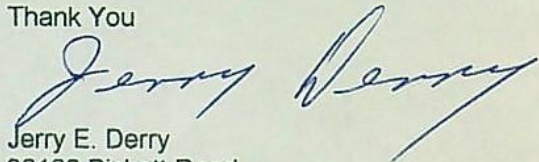
RECEIVED
FEB 07 2002
WATER RESOURCES DEPT.
SALEM, OREGON

Water Resources Department
Commerce Building
158 12th Street NE
Salem, Oregon 97301-4172

To Whom It May Concern:

Please find the information you requested enclosed.
If you have any further questions, please feel free to contact me.

Thank You



Jerry E. Derry
30180 Pickett Road
Malin, Oregon 97632
541-723-4231

MAP TO ACCOMPANY GROUND WATER APPLICATION

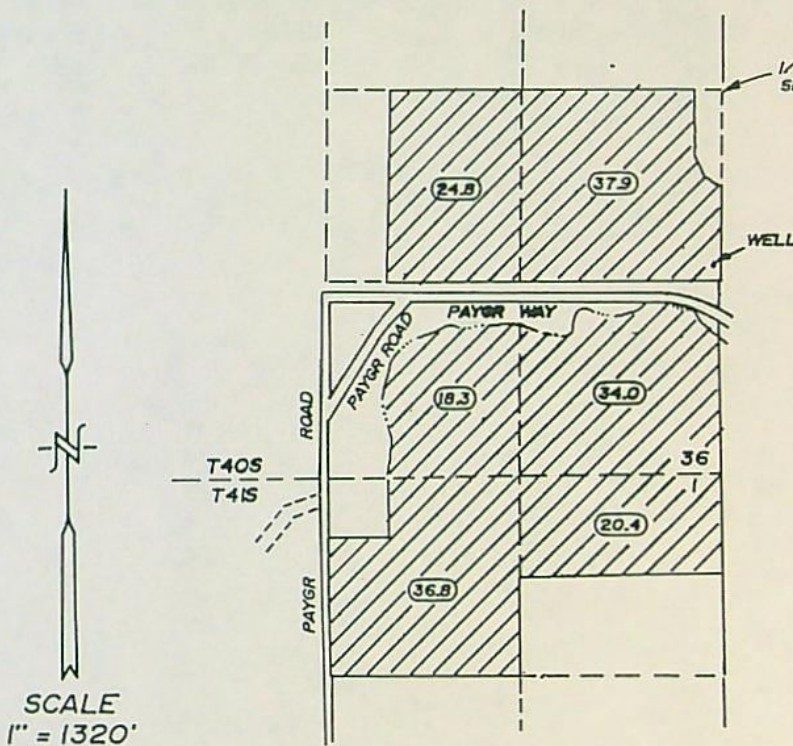
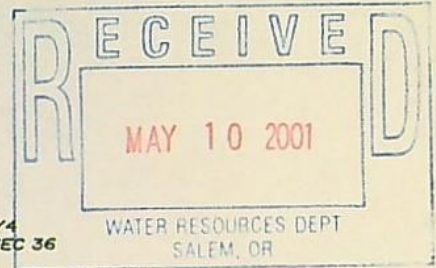
SITUATED IN THE SE1/4 OF SECTION 36, T40S, R1EWM,
AND THE N1/2 OF THE NE1/4 OF SECTION 1, T41S,
R1EWM, KLAMATH COUNTY, OREGON
APRIL, 2001

Application No. *g 15495*
Permit No.

MAP PREPARED FOR
-- RAYMOND RUSS & JO ANNE WALLENHORST-RUSS --

MAP PREPARED FROM
--ASSESSORS MAP--

--RUDOLPH & MARY PAYGR--



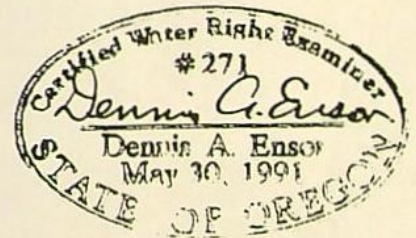
TOTAL AREA
THIS APPLICATION
--172.2 Ac.--

LOCATION OF PROPOSED WELL BY OWNER

1400 FEET NORTH AND 200 FEET WEST OF
THE SECTION CORNER BETWEEN 36 AND 1



LANDS THIS APPLICATION



THE PURPOSE OF THIS MAP IS TO IDENTIFY THE
LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED
TO PROVIDE INFORMATION RELATIVE TO THE
LOCATION OF PROPERTY OWNERSHIP BOUNDARY
LINES.

TRU-LINE SURVEYING, INC.
2333 SUMMERS LANE
KLAMATH FALLS, OREGON 97603



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

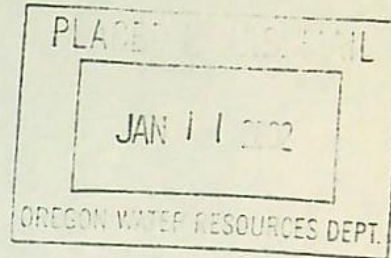
Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130
www.wrd.state.or.us

January 11, 2002

JO ANN WOLLENHORST-RUSS
RUDOLPH PAYGR
17823 COUNTRY RD 85 B
EPARTO, CALIFORNIA 95627

Reference: File G-15495

Dear Applicants:



**THIS IS NOT A PERMIT AND IS
SUBJECT TO CHANGE AT THE NEXT PHASE OF PROCESSING.**

This letter is to inform you of the unfavorable preliminary analysis of your water use permit application and to describe your options. In determining whether a water use permit application may be approved, the Department must consider the factors listed below, all of which must be favorable to the proposed use if it is to be allowed. Based on the information you have supplied, the Water Resources Department has made the following preliminary determinations:

Initial Review Determinations:

1. The proposed use is not prohibited by law or rule.
2. The use of water from A WELL IN LOST RIVER BASIN for IRRIGATION OF 172.2 ACRES is a **classified use** under ORS 542.620, the Klamath River Basin Compact.
3. The Department has determined, based upon OAR 690-09, that the proposed groundwater use will, if properly conditioned, adequately protect the surface water from interference.
4. At this time, The Department is unable to determine, based upon available data, if groundwater in the amount of 2.15 CUBIC FEET PER SECOND for IRRIGATION OF 172.2 ACRES is available. Please see **NOTICE** statement below for more information.
5. The standard irrigation season for groundwater determined to not be in hydrologic connection with surface water is March 1 through October 31 of each year. The applicant requests the season of use April 1 through September 30 of each year. The proposed season of use is within the allowed season and therefore will be allowed if a permit is issued.
6. The Department has determined there are deficiencies with the application map

submitted. In addition, the Department has noted that a road transverses the properties involved with this application. Please refer to the **ADDITIONAL INFORMATION REQUIRED** section below for specific information.

Summary of Allowable Water Use

Because item #4 above is unfavorable, the use of 2.15 CUBIC FEET PER SECOND of water from A WELL IN LOST RIVER BASIN for IRRIGATION OF 172.2 ACRES is not allowable, and it appears unlikely that you will be issued a permit. At this time, you must decide whether to proceed or to withdraw your application as described below. until the requested information is received or the extended deadline has passed.

NOTICE: The determinations of this Initial Review are subject to change contingent on the results of a groundwater study being completed by the Department. The water source identified in your application is in an area that is currently being studied by the Department for interference with other water rights within the Shasta View Irrigation District and vicinity. WRD will be looking at information from the study to see if additional conditions or restrictions are needed to protect resources within the study area. One possible outcome is that the Water Resources Department will propose in the proposed final order that your application be denied.

This study will help make sure that current and new appropriations of water are done in a way that does not adversely harm the resource and existing water rights. You are encouraged to contact Mike Zwart, (503) 378-8455, extension 207, to learn more about the study and how it may affect your proposed water use.

ADDITIONAL INFORMATION REQUIRED:

OAR 690-310-050((4)(b) requires the application map submitted to the Department to show the location of pipelines, ditches or other means of transporting water for the proposed use. Please indicate the location of the *main line* proposed under this application.

In addition, it has been noted that a road, specifically Paygr Way, transverses the properties involved with this application. If this road is a public right of way, you must provide the Department with the mailing address and a written authorization or easement of the managing entity; ie Klamath County Road Department, if applicable.

Please submit the required information by *February 28, 2002*. If you are unable to submit the above listed information, you may request a "time out from processing" for up to an additional 180 days. You must submit the request in writing, stating how much more time you will need and why you need additional time. If a time out is granted, your application will not be processed further until the requested information is received or the extended deadline has passed.



Klamath County - Public Works Department

ROAD DEPARTMENT · PARK DIVISION · SOLID WASTE DIVISION · WEED CONTROL DIVISION
 305 MAIN STREET · KLAMATH FALLS, OREGON 97601
 (541) 863-4686 · FAX (541) 882-3048

RECEIVED

FEB 07 2002

WATER RESOURCES DEPT.
 SALEM, OREGON

February 1, 2002

Jerry Derry
 30180 Pickett Rd
 Malin, Oregon 97632

Dear Mr. Derry,

Please use this letter as your Permit from Klamath County Public Works Department to install and maintain a sprinkler mainline pipe through a Road Department culvert under Paygr Way at 26112 Paygr Way.

1. The main line shall not be installed prior to May 1st
2. The main line shall be removed on or before October 15th
3. In the event of main line failure causing damage to the culvert or to Harpold Road, you accept responsibility for repairs.
4. Klamath County is not responsible for damage to the main line due to traffic accidents, road maintenance, or ditch maintenance.
5. This Permit is revocable upon five days written notice.

If you accept the terms and conditions of this Permit, please sign below and return this Permit to Klamath County Public Works. A signed and approved copy will be sent to you.

Sincerely,

Tom Gilleland
 Right-of-Way Inspector

I, Jerry E. Derry, accept the terms and conditions as stated above.

DATED this 4 day of February, 2002.

Approved for Klamath County by: [Signature]

Mailing List for IR Copies

Application #G-15495

IR Date: January 11, 2002

Original mailed to:

Applicant: JOANN WOLLENHORST-RUSS, RUDOLPH PAYGR, 17823 COUNTRY RD 85 B,
EPARTO, CALIFORNIA 95627

Copies sent to:

1. WRD - File # G-15495
2. WRD - Water Availability: Ken Stahr

IR, Map, and Fact Sheet Copies sent to:

3. WRD - Watermaster # District 17
4. DOA (N.Salem/Keizer): Mike Wolf

Copies Mailed
By: <u>JS</u>
(SUPPORT STAFF)
on: <u>1/11/02</u>
(DATE)

Copies sent to Other Interested Persons (*CWRE, Agent, Well Driller, Commenter, etc.*)

5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

ID# AMH

COPY#111R



Oregon

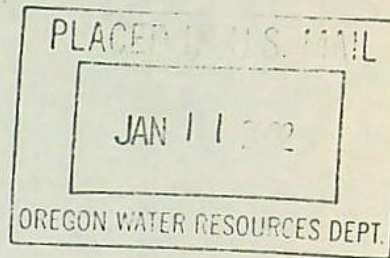
John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130
www.wrd.state.or.us

January 11, 2002

JO ANN WOLLENHORST-RUSS
RUDOLPH PAYGR
17823 COUNTRY RD 85 B
EPARTO, CALIFORNIA 95627



Reference: File G-15495

Dear Applicants:

**THIS IS NOT A PERMIT AND IS
SUBJECT TO CHANGE AT THE NEXT PHASE OF PROCESSING.**

This letter is to inform you of the unfavorable preliminary analysis of your water use permit application and to describe your options. In determining whether a water use permit application may be approved, the Department must consider the factors listed below, all of which must be favorable to the proposed use if it is to be allowed. Based on the information you have supplied, the Water Resources Department has made the following preliminary determinations:

Initial Review Determinations:

1. The proposed use is not prohibited by law or rule.
2. The use of water from A WELL IN LOST RIVER BASIN for IRRIGATION OF 172.2 ACRES is a **classified use** under ORS 542.620, the Klamath River Basin Compact.
3. The Department has determined, based upon OAR 690-09, that the proposed groundwater use will, if properly conditioned, adequately protect the surface water from interference.
4. At this time, The Department is unable to determine, based upon available data, if groundwater in the amount of 2.15 CUBIC FEET PER SECOND for IRRIGATION OF 172.2 ACRES is available. Please see **NOTICE** statement below for more information.
5. The standard irrigation season for groundwater determined to not be in hydrologic connection with surface water is March 1 through October 31 of each year. The applicant requests the season of use April 1 through September 30 of each year. The proposed season of use is within the allowed season and therefore will be allowed if a permit is issued.
6. The Department has determined there are deficiencies with the application map

submitted. In addition, the Department has noted that a road transverses the properties involved with this application. Please refer to the **ADDITIONAL INFORMATION REQUIRED** section below for specific information.

Summary of Allowable Water Use

Because item #4 above is unfavorable, the use of 2.15 CUBIC FEET PER SECOND of water from A WELL IN LOST RIVER BASIN for IRRIGATION OF 172.2 ACRES is not allowable, and it appears unlikely that you will be issued a permit. At this time, you must decide whether to proceed or to withdraw your application as described below. until the requested information is received or the extended deadline has passed.

NOTICE: The determinations of this Initial Review are subject to change contingent on the results of a groundwater study being completed by the Department. The water source identified in your application is in an area that is currently being studied by the Department for interference with other water rights within the Shasta View Irrigation District and vicinity. WRD will be looking at information from the study to see if additional conditions or restrictions are needed to protect resources within the study area. One possible outcome is that the Water Resources Department will propose in the proposed final order that your application be denied.

This study will help make sure that current and new appropriations of water are done in a way that does not adversely harm the resource and existing water rights. You are encouraged to contact Mike Zwart, (503) 378-8455, extension 207, to learn more about the study and how it may affect your proposed water use.

ADDITIONAL INFORMATION REQUIRED:

OAR 690-310-050((4)(b) requires the application map submitted to the Department to show the location of pipelines, ditches or other means of transporting water for the proposed use. Please indicate the location of the *main line* proposed under this application.

In addition, it has been noted that a road, specifically Paygr Way, transverses the properties involved with this application. If this road is a public right of way, you must provide the Department with the mailing address and a written authorization or easement of the managing entity; ie Klamath County Road Department, if applicable.

Please submit the required information by *February 28, 2002*. If you are unable to submit the above listed information, you may request a "time out from processing" for up to an additional 180 days. You must submit the request in writing, stating how much more time you will need and why you need additional time. If a time out is granted, your application will not be processed further until the requested information is received or the extended deadline has passed.

If we do not receive the items requested above by this date, or a request for time out from processing, we **may** reject your application consistent with ORS 537.153. If your application is rejected, any fees submitted in excess of the examination fee will be refunded; however, the examination fee is non-refundable and will not be returned. In addition, the priority date associated with your application will be lost.

Please reference the application number when sending any correspondence regarding the conclusions of this initial review. Comments received within the comment period will be evaluated at the next phase of the process.

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$50 processing charge per application.) To accomplish this you must notify the Department in writing by **Friday, January 18, 2002**. For your convenience you may use the enclosed "STOP PROCESSING" form.

To Proceed With Your Application:

If you choose to proceed with your application, you do not have to notify the Department. Your application will automatically be placed on the Department's Public Notice to allow others the opportunity to comment. After the comment period the Department will complete a public interest review and issue a proposed final order.

If A Permit Is Issued It Will Likely Include The Following Conditions:

1. Measurement, recording and reporting conditions:
 - A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
 - B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
2. The tentative priority date for this application is MAY 10, 2001.

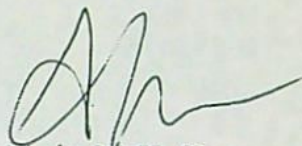
The water source identified in your application is in an area in which an Agricultural Water Quality Management Area Plan is being developed. These plans are developed by the Oregon Department of Agriculture (ODA) with the cooperation of local landowners and other interested

stakeholders. These plans help make sure that current and new appropriations of water are done in a way that does not adversely harm the environment. You are encouraged to contact Mike Wolf, (503) 986-4711 at the ODA to learn more about the plan and how it may affect your proposed water use.

If you have any questions:

Questions about the status of your application, processing timelines, or your upcoming Proposed Final Order should be directed to our Water Right Information Group at (503) 378-8455 extension 499. Feel free to call me at (503) 378-8455 extension 229 if you have any questions regarding the contents of this letter. Please have your application number available if you call. Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 158 12th ST. NE Salem, OR 97310, Fax: (503)378-6203.

Sincerely,



Anita M. Huffman
Senior Water Rights Technician

cc: Regional Manager, Watermaster District 17, Water Availability Section
enclosures: Flow Chart of Water Right Process
Stop Processing Form

G-15495
wab 14-
pou 14-
gw C

APPLICATION FACT SHEET

Mail to: *Applicant, Watermaster, District Biologist (ODFW)*
If necessary, also mail to : Regional Water quality manager (DEQ), and DOA

Application File Number: G-15495

Applicant: RUDOLPH PAYGR WOLLENHORST RUSS, JOANN

County: KLAMATH

Watermaster: District 17

Priority Date: MAY 10, 2001

Source: A WELL IN LOST RIVER BASIN

Use: IRRIGATION OF 172.2 ACRES

Quantity: 2.15 CUBIC FEET PER SECOND

Basin Name & Number: Klamath, #14

Stream Index Reference: Volume 2 LOST R

Point of Diversion Location: NESE, SECTION 36, T40S, R11E, W.M.; 1400 FEET NORTH & 200 FEET WEST FROM SE CORNER, SECTION 36

Place of Use: NESE 37.9 ACRES NWSE 24.8 ACRES SWSE 18.3 ACRES SESE 34.0 ACRES, SECTION 36, TOWNSHIP 40 SOUTH, RANGE 11 EAST, W.M. NENE 20.4 ACRES NWNE 36.8 ACRES, SECTION 1, TOWNSHIP 41 SOUTH, RANGE 11 EAST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: Friday, January 25, 2002

PUBLIC NOTICE DATE: Tuesday, January 29, 2002

30 DAY COMMENT DEADLINE DATE: Thursday, February 28, 2002



Oregon

John A. Kitzhaber, M.D., Governor

CERTIFIED MAIL
Return Receipt Requested

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130
www.wrd.state.or.us

January 11, 2002

JO ANN WOOLENHORST-RUSS
RUDOLPH PAYGR
17823 COUNTRY RD 85 B
EPARTO, CA 95627

Reference: Application # G-15495

Dear Applicants:

Your Initial Review has been processed, and I found that additional information is required to complete your application for water use. The following information must be received:

Additional Information Required:

According to Department records, the application map for this Application # G-15495 does not accurately describe the location of the main lines for the system. Please provide the following required item(s):

- ▶ **The application map must show the location of the main line. You may draw the main line on the enclosed map copy.**

In addition, the Department has noted that there is a road, Paygr Way, transversing the property. Please enclose a note stating whether or not Paygr Way is a public right-of-way. If Paygr Way *is not* a private road, you must provide the Department with the name and mailing address of the entity managing the roadway, and a notification of whether or not you have an easement or written authorization to transverse the road (via culverts) for the proposed use.

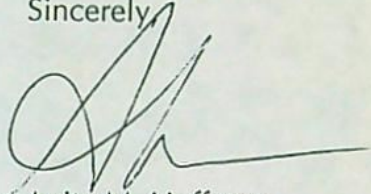
Please submit this information no later than *February 28, 2002*. If you are unable to submit the above listed information, you may request a "time out from processing" for up to an additional 180 days. You must submit the request in writing, stating how much more time you will need and why you need additional time. If a time out is granted, your application will not be processed further until the requested information is received or the extended deadline has passed.

If we do not receive the items requested above by this date, or a request for time out from processing, we **may** reject your application consistent with ORS 537.153. If your application is rejected, any fees submitted in excess of the examination fee will be refunded; however, the examination fee is non-refundable and will not be returned. In addition, the priority date associated with your application will be lost.

NOTE: Prior to the issuance of a permit, the Department must receive a copy of any written authorization or easements for any property affected by your proposed use, if applicable, for this Application # G-15495, which includes the information referenced above.

Should you have any questions regarding your application or the required materials listed above, or if you need to request an extension of time, please call me at (503) 378-8455, extension 229.

Sincerely,

A handwritten signature in black ink, appearing to read 'Anita M. Huffman', with a long horizontal flourish extending to the right.

Anita M. Huffman
Senior Water Rights Technician

cc: File #G-15495
Watermaster Dist # 17

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **44934**

158 12TH ST. N.E.
SALEM, OR 97310-0210
378-8455 / 378-8130 (FAX)

APPLICATION # _____

RECEIVED FROM: DERRY FARMS
BY: _____

APPLICATION	
PERMIT	
TRANSFER	

CASH: CHECK: # 96-7030 OTHER: (IDENTIFY)

TOTAL REC'D \$ 1525.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS
PUBLICATIONS / MAPS
OTHER: (IDENTIFY)
OTHER: (IDENTIFY)

*Ref on File
Drought File #
G-153815
SEE ALSO*

REDUCTION OF EXPENSE

PCA AND OBJECT CLASS

0427 WRD OPERATING ACCT

MISCELLANEOUS

0407	COPY & TAPE FEES	\$
0410	RESEARCH FEES	\$
0408	MISC REVENUE: (IDENTIFY)	\$
(New) TC162	DEPOSIT LIAB. (IDENTIFY)	\$

WATER RIGHTS:

0201	SURFACE WATER	\$	0202	RECORD FEE	\$
0203	GROUND WATER	\$ 550.00	0204	175	\$ 125.00
0205	TRANSFER	\$	0206		\$

WELL CONSTRUCTION

0218	WELL DRILL CONSTRUCTOR	\$	0219	LICENSE FEE	\$
	LANDOWNER'S PERMIT	\$	0220		\$

OTHER (IDENTIFY) _____

0437 WELL CONST. START FEE

0211	WELL CONST START FEE	\$	CARD #	
0210	MONITORING WELLS	\$	CARD #	
	OTHER (IDENTIFY)			

0539 LOTTERY PROCEEDS

1302	LOTTERY PROCEEDS	\$
------	------------------	----

0467 HYDRO ACTIVITY

0233	POWER LICENSE FEE (FW/WRD)	LIC NUMBER	\$
0231	HYDRO LICENSE FEE (FW/WRD)		\$
	HRDRO APPLICATION		\$

RECEIPT # **44934**

DATED: 5/10/01 BY: Coy Engh



State of Oregon
Water Resources Department
 158 12th Street NE, Salem, OR 97310
 (503)378-8455 • (800)624-3199
 www.wrd.state.or.us

Application for a Permit to Use Ground Water

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. Thank you.

1. APPLICANT INFORMATION

A. Individuals

Applicant: JO ANN WOLLENHORST - BUSS
First Last

Co-applicant: RUDOLPH PAYER
First Last

Mailing address: 17823 COUNTRY RD 85B
EPARTO CALIF 95627
City State Zip

Phone: _____
Home Work Other

*Fax: _____ *E-Mail address: _____

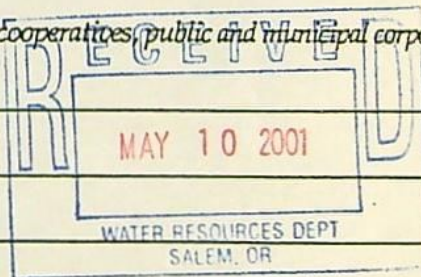
B. Organizations

(Corporations, associations, firms, partnerships, joint stock companies, Cooperatives, public and municipal corporations)

Name of organization: _____

Name and title of person applying: _____

Mailing address of organization: _____
City State Zip



Phone: _____
Day Evening

*Fax: _____ *E-Mail address: _____

*Optional information

For Department Use		
App. No. <u>915495</u>	Permit No. _____	Date _____

2. PROPERTY OWNERSHIP

Do you own all the land where you propose to divert, transport, and use water?

- Yes (Skip to section 3 "Ground water Development.")
- No Please check the appropriate box below.
 - I have a recorded easement or written authorization permitting access.
 - I do not currently have written authorization or easement permitting access.

List the names and mailing addresses of all affected landowners.*

RECEIVED

MAY 10 2001

WATER RESOURCES DEPT
SALEM, OR

*If more than 25 landowners are involved, a list is not required. See instructions.

3. GROUND WATER DEVELOPMENT

A. Number of well(s): 1 B. Name of nearest surface water body: _____

C. Distance from well(s) to nearest stream or lake: 1) _____

2) _____ 3) _____ 4) _____

D. If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head. 1) _____

2) _____ 3) _____ 4) _____

E. Well Characteristics

Wells must be constructed according to standards set by the Department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well constructor's log and the well ID number, if available, for each well with this application. Identify each well with a number corresponding to the wells designated on the map and proceed to question F in this section of the form. If the well has not been constructed, or if you do not have a well log, please complete the following:

Well(s) will be constructed by: TO Be Constructed. Van Meter + Despain

Address: _____

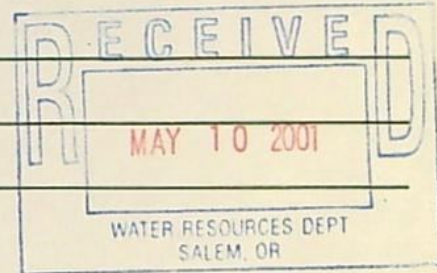
Completion date: _____

2. Please provide a description of your well development. (Attach additional sheets if needed.)

Well No.	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth	
				Wells NOT CONSTRUCTED yet Per Corey Engel R.W.						

F. Artesian Flows

If your water well is flowing artesian, describe your water control and conservation works:



4. WATER USE

Please read the instruction booklet for more details on "type of use" definitions, how to express how much water you need and how to identify the water source you propose to use. You must fill out a supplemental form for some uses as they require specific information for that type of use.

A. Type(s) of Use(s)

See list of beneficial uses provided in the instructions.

- If your proposed use is domestic, indicate the number of households to be supplied with water: _____
- If your proposed use is irrigation, please attach Form I
- If your proposed use is mining, attach Form R
- If your proposed use is municipal or quasi-municipal, attach Form M
- If your proposed use is commercial/industrial, attach Form Q

Application No. 515495
 Permit No.

Ground Water/3

B. Amount of Water

Provide the production rate in gallons per minute (gpm) and the total annual amount of water you need from each well, from each source or aquifer, for each use. You do not need to provide source information if you are submitting a well log with your application.

Well No.	Source or aquifer	Type of use	Total rate of water requested (in gpm)	Total annual quantity (in gallons)	Production rate of well (in gpm)
		IRRIGATION			966

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 966
(The fees for your application will be based on this amount.)

D. Period of Use

Indicate the time of year you propose to use the water: 4-1 TO 9-31
(For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1–October 31.)

E. Acreage

If you will be applying water to land, please give the total number of acres where water will be applied or used: 172.2
(This number should be consistent with you application map.)

5. WATER MANAGEMENT

A. Diversion

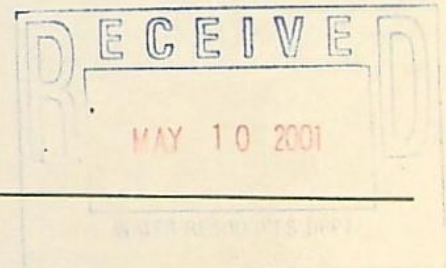
What equipment will you use to pump water from your well(s)? TO BE DETERMINED when well is CONSTRUCTED.

- Pump (give horsepower and pump type) _____
 Other means (describe) _____

B. Transport

How will you transport water to your place of use?

- Ditch or canal (give average width and depth)
Width _____ Depth _____
Is the ditch or canal to be lined? Yes No
- Pipe (give diameter and total length)
Diameter 12" MAINLINE Length 4500 FEET
- Other (describe) _____

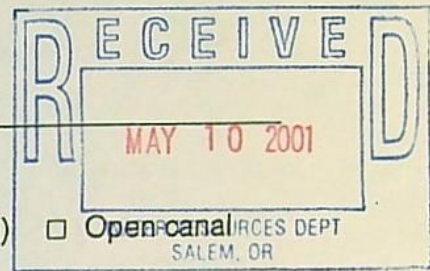


C. Application/Distribution Method

What equipment will you use to apply water to your place of use? wheel lines -
HANDLINE

Irrigation or land application method (check all that apply):

- Flood
- High-pressure sprinkler
- Low pressure sprinkler
- Drip
- Water cannons
- Center pivot system
- Hand lines
- Wheel lines
- Siphon tubes or gated pipe with furrows
- Other, describe _____



Distribution method

- Direct pipe from source
- In-line storage (tank or pond)

D. Conservation

What methods will you use to conserve water? Why did you choose this distribution or application method? For example, if you are using sprinkler irrigation rather than drip irrigation, explain. If you need additional space, attach a separate sheet.

DRIP IRRIGATION HAS NOT BEEN PROVEN
IN THIS LOCATION. SPRINKLER ARE THE ONLY WAY
BECAUSE YOU CAN NOT FLOOD.

6. PROJECT SCHEDULE

Indicate the anticipated dates that the following construction tasks should begin. If construction has already begun, or is completed, please indicate that date.

Proposed date construction will begin 5-7-01

Proposed date construction will be completed _____

Proposed date beneficial water use will begin _____

7. REMARKS

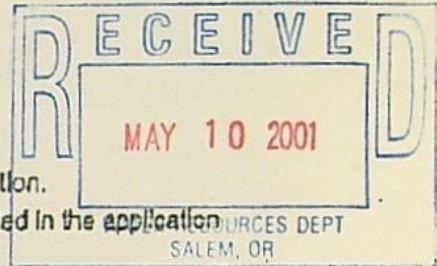
If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.

Application No. 515456
Permit No. _____

8. MAP REQUIREMENTS

The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.

9. SIGNATURE



By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit to me, I may have to stop using water to allow senior water right holders to get water they are entitled to, and

I swear that all information provided in this application is true and correct to the best of my knowledge:

X *[Signature]* Date 4/30/2001
 Signature of Applicant
Rudolph Payer Date _____
 Signature of Co-applicant

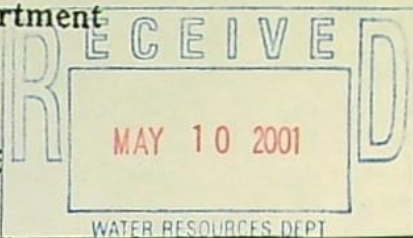
Before you submit your application be sure you have:

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included the legal description of all the property involved with this application. You may supply a copy of the deed, land sales contract, or title insurance policy, to meet this requirement.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.



Oregon Water Resources Department

FORM I
FOR IRRIGATION WATER USE



1. Please indicate whether you are requesting a primary or supplemental irrigation water right.

Primary Supplemental

If supplemental, please indicate the number of acres that will be irrigated for each type of use.

Primary: 172.2 Acres

Secondary: _____ Acres

List the permit or certificate number of the primary water right:

no. SHASTA VHEW IRRIG. Dist

2. Please list the anticipated crops you will grow and whether you will be irrigating them for a full or partial season:

- 1. ALFALFA Full season Partial season (from: 4-1 to 9-31)
- 2. GRAIN Full season Partial season (from: 4-1 to 9-31)
- 3. POTATOES Full season Partial season (from: 4-1 to 9-31)
- 4. _____ Full season Partial season (from: _____ to _____)

3. Indicate the maximum total number of acre-feet you expect to use in an irrigation season:

516.6 acre-feet

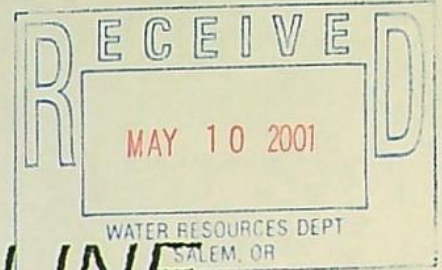
(1 acre-foot equals 12 inches of water spread over one acre, or 43,560 cubic feet, or 325,851 gallons.)

4. How will you schedule your applications of water? Will you be applying water in the evenings, twice a week, daily?

- Daily during daytime hours Daily during nighttime hours
- Two or three times weekly during daytime Two or three times weekly during nighttime
- Weekly, during daytime hours Weekly, during nighttime hours
- Other, explain: _____

Application No. 813495
Permit No.

Owner
DENNIS A. ENSOR L.S., WRE



TRU SURVEYING, INC LINE



2333 Summers Lane
Klamath Falls, Ore. 97603
Phone (541) 884-3691

FACSIMILE - TRANSMITTAL FORM

DATE 5/10/01 TIME _____

TO Water Master FAX _____

FROM Chad PHONE 884 - 3691

FAX 884 - 3691

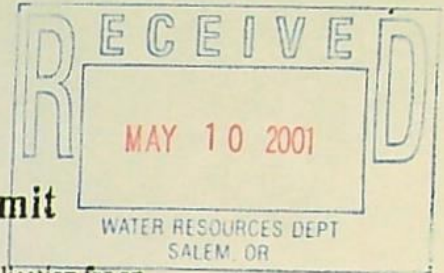
NUMBER OF PAGES (INCLUDING THIS SHEET) 9

COMMENTS

Wallenhurst paperwork

Application No. 915495
Permit No.

Application Supplement for Drought Emergency Water Use Permit



This form is used to provide supplemental information necessary to process an application for an Emergency Water Use Permit following a declaration by the Governor that a severe, continuing drought exists.

Please complete all items. Items 1 through 3 will help us process your application expediently; items 4 and 5 are required by OAR 690-19-040.

1. County of use: KIAMATH
SHASTA VIEW IRRIGATION DISTRICT
2. Identify your existing right: Application #: _____ Permit #: _____ Certificate: _____
3. If your source of emergency water is groundwater and your well has an ID tag, please provide the tag number: WELL NOT DRILLED AT THIS TIME
4. Describe how drought conditions have created an inability to obtain water under your existing right:
BUREAU OF RECLAMATION HAS DENIED WATER
DELIVERY TO THE IRRIGATION DISTRICT
5. Is your proposed emergency use of water of a short-term nature? Yes No
If not, please describe it:
GROWING SEASON FOR 2000

Requirements to file an application: To file an application for an Emergency Water Use Permit, the following conditions must apply:

1. There must have been a declaration by the Governor that a severe, continuing drought exists in the area where the proposed water use will occur.
2. Drought conditions must have created an inability on the part of the applicant to obtain water under an existing right.
3. The application must be complete, and must include the information requested on the other side of this page, in addition to all other items necessary to file a non-emergency application (including an ordinary application form, Land Use Information Form, legal description, etc.). If your application is not complete, it will be returned to you unfilled.

Signature of Applicant: [Handwritten Signature] Date: 4/30/2001
Richard D. Dwyer

Application No. 515495
Permit No.

10013

Vol. 995 Page 33018



KLAMATH COUNTY TITLE COMPANY

**K-48577-G
STATUTORY WARRANTY DEED
(Individual or Corporation)**

Alan J. Prescott

conveys and warrants to Raymond J. Russ and Jo Anne Wallenhörner-Russ
husband and wife
the following described real property in the County of Klamath and State of Oregon

PARCEL 1:

The N1/2E1/4 of Section 36, Township 40 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, EXCEPTING THEREFROM the West 435 feet of the NW1/2E1/4 of said Section.

PARCEL 2:

A portion of the S1/2E1/4 of Section 36, Township 40 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

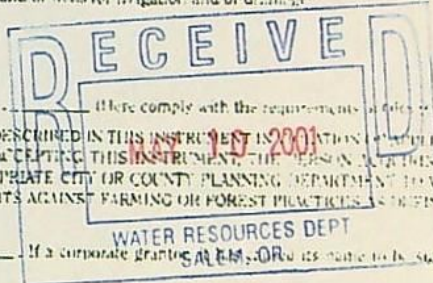
Beginning at a point that is 647.40 feet East of the Southwest corner of the NW1/2E1/4 of Section 36, Township 40 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon; thence East (along the 1/16 line) approx. 1992.6 feet to the section line common to Section 36 and Section 6; thence South approx. 200 feet to the northerly right of way line of Paygr Way (County Road 1113); thence Westerly along the Northerly right of way line of Paygr Way (County Road 1113) to a point that is 65 feet South of the point of beginning; thence North 65 feet to the point of beginning.

This property is free of liens and encumbrances, EXCEPT SUBJECT TO Reservations and restrictions of record, easements and encumbrances of record and those apparent upon the land, contracts and/or liens for irrigation and/or drainage.

The true consideration for this conveyance is \$ 100,000.00

THIS INSTRUMENT WILL NOT AFFECT USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN ACCORDANCE WITH APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO DETERMINE APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930

DATED this 1st day of December 1995. If a corporate grantor, its name to be signed by resolution of its board of directors.

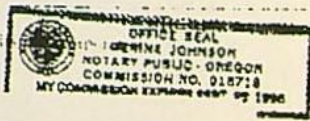


Alan J. Prescott
Alan J. Prescott

STATE OF OREGON, County of Klamath
The foregoing instrument was acknowledged before me this 1st day of December, 1995 by Alan J. Prescott

CORPORATE ACKNOWLEDGEMENT
STATE OF OREGON, County of _____
The foregoing instrument was acknowledged before me this _____ day of _____, 19____ by _____ and _____

Janice Johnson
My commission expires September 28, 1996



After recording return to:
Raymond & Joanne Russ
17823 County Rd 85B
Esparto, CA 95627

STATE OF OREGON,
County of Klamath ss
Filed for record at request of:
Klamath County Title Company
on this 3th day of December A.D. 1995
at 10:30 o'clock A.M. and duly recorded
in Vol. 995 of Deeds Page 33018
Berntha G. Iersch County Clerk
By *Berntha G. Iersch*

NAME ADDRESS 2B
Raymond & Joanne Russ
17823 County Rd 85B,
Esparto, CA 95627

Application No. 815495
Permit No. _____
Fee \$30.00

12-04-95A10:39 RCVD

MOUNTAIN TITLE COMPANY

80928

WARRANTY DEED

Vol. MS7 Page 19492

KNOW ALL MEN BY THESE PRESENTS, That SAMUEL W. PRESCOTT aka SAMUEL WINIFRED PRESCOTT hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by GERALD E. MOORE and LORI L. MOORE, husband and wife hereinafter called the grantees, does hereby grant, bargain, sell and convey unto the said grantees and grantees heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Klamath and State of Oregon, described as follows, to-wit:

The West 435 feet of the NW 1/4 SE 1/4 of Section 36, Township 40 South, Range 11 East of the Willamette Meridian, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

TOGETHER WITH a perpetual non-exclusive easement along the existing driveway in the SW 1/4 SE 1/4 of Section 36, Township 40 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, lying northerly of the Old Linkville-Tulelake Road.

MOUNTAIN TITLE COMPANY

"This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning departments to verify approved uses."

To Have and to Hold the same unto the said grantees and grantees heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantees and grantees heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except all those of record and those apparent upon the land, if any, as of the date of this deed and that

grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 85,000.00. However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration (indicate which). (The sentence between the symbols @, if not applicable, should be deleted. See ORS 91.010.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 27th day of October, 1987; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers duly authorized thereto by order of its board of directors.

Samuel W. Prescott
SAMUEL W. PRESCOTT

(If executed by a corporation, affix corporate seal)

STATE OF OREGON
County of Klamath
October 27, 1987
Personally appeared the above named SAMUEL W. PRESCOTT

and acknowledged the foregoing instrument to be his voluntary act and deed.
Christina Kedd
Notary Public for Oregon
My commission expires: 11/16/87

STATE OF OREGON, County of Klamath
Personally appeared and who, being duly sworn, each for himself and not one for the other, did say that the latter is the president and that the latter is the secretary of a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors and each of them acknowledged said instrument to be in voluntary act and deed.
MAY 10 2001
WATER RESOURCES DEPT
SALEM, OR
Notary Public for Oregon
My commission expires:

SAMUEL W. PRESCOTT
GRANTOR'S NAME AND ADDRESS
GERALD E. MOORE and LORI L. MOORE
PO Box 1127
Malin, OR 97632
GRANTEE'S NAME AND ADDRESS
After recording return to:
SAME AS GRANTEE
NAME, ADDRESS, ZIP
Until a change is recorded all tax statements shall be sent to the following address:
SAME AS GRANTEE
NAME, ADDRESS, ZIP

STATE OF OREGON, County of Klamath
I certify that the within instrument was received for record on the 27th day of October, 1987, at 3:41 o'clock P.M., and recorded in book MS7 on page 19492 or as file/roll number 80928. Record of Deeds of said county. Witness my hand and seal of County aforesaid.
Evelyn Biehn, County Clerk
By J. Ann Smith Deputy
Fee: \$10.00

MOUNTAIN TITLE COMPANY

Application No. 915495
Permit No

EXHIBIT "A"
LEGAL DESCRIPTION

The S1/2 SE1/4 of Section 36, Township 40 South, Range 11 East, Willamette Meridian; and the N1/2 NE1/4 NE1/4, EXCEPTING the Southerly 15 feet, all of the NW1/4 NE1/4 and the Westerly 15 feet of the following described land: S1/2 NE1/4 NE1/4 and all that part of the SE1/4 NE1/4 lying North of the Adams Canal, all in Section 1, Township 41 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon.

EXCEPTING a tract of land described as follows: Beginning at an iron pin on the Section Line which pin lies in the East right of way line of the County Road 30 feet East from the South quarter corner of Section 36, Township 40 South, Range 11 East, Willamette Meridian, in Klamath County, Oregon, and running thence: continuing East along the South section line of Section 36 a distance of 284.2 feet to an iron pin; thence North 30 degrees East a distance of 184.8 feet to a pin; thence North 13 degrees 03' West a distance of 191.7 feet to an iron pin; thence West a distance of 333.3 feet to an iron pin which lies on the East right of way line of the County Road; thence South along the East right of way line of the county Road a distance of 346.7 feet more or less to the point of beginning, in the SW1/4 SE1/4 of Section 36, Township 40 South, Range 11 East, Willamette Meridian, in Klamath County, Oregon.

ALSO EXCEPT THEREFROM: A parcel of land situated in the SW1/4 SE1/4 of Section 36, Township 40 South, Range 11 East, Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows: Beginning at an iron pipe located at the South and East right of way of the old Linkville-Tulelake Road at the point said road leaves the North and South centerline of Section 36, Township 40 South, Range 11 East, Willamette Meridian, and runs East; said iron pipe being also North 1.218 0 feet and North 89 degrees 48' East 30.0 feet from South quarter-section corner of Section 36; thence North 89 degrees 48' East along the South right of way of said Linkville-Tulelake Road 477.4 feet to the Northwestly right of way of the County Road #1113 known as Payer Road; thence along Payer Road South 43 degrees 06' 20" West 154.25 feet to a beginning of curve; thence around a 10 degree 30' 40" curve to the left (radius 548.05) a distance of 107.68 feet; thence South 31 degrees 47' 20" West 581.5 feet to the intersection of the Westerly right of way of the Old Linkville-Tulelake Road; thence North 690.92 feet, more or less, to the point of beginning.

ALSO EXCEPTING THEREFROM a tract of land for Shasta View Irrigation District as set forth in Volume 91 page 573 and Volume 138 at page 382, Deed Records of Klamath County, Oregon.

ALSO EXCEPTING THEREFROM: Beginning at a point that is the Southwest corner of Gerald E. Moore and Lori L. Moore's property, that is described in a deed recorded at M87-19492, October 27, 1987; which is also the Southwest corner of the NW1/4 SE1/4 Section 36, Township 40 South, Range 11 East, Willamette Meridian, Klamath County, Oregon. Thence East along the 1/16 line 647.40 feet. Thence South approximately 65 feet to the northern right-of-way line of the old Linkville-Tulelake Road. Thence West paralleling the above said 1/16 line 647.40 feet. Thence North approximately 65 feet, to the point of beginning.

ALSO EXCEPTING THEREFROM: Beginning at a point that is 647.40 feet East of the Southwest corner of the NW1/4 SE1/4 Section 36, Township 40 South, Range 11 East, Willamette Meridian, Klamath County, Oregon. Thence East along the 1/16 line approximately 1,992.6 feet to the Section line common to Section 36 and Section 6. Thence South approximately 200 feet to the northerly right of way line of Payer Way (County Road 1113). Thence westerly along the northerly right of way line of Payer Way (County Road 1113) to a point that is 65 feet south of the point of beginning. Thence North 65 feet to the point of beginning.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Malvin Ferguson the 19th day of Jan A.D., 19 96 at 2:55 o'clock P M., and duly recorded in Vol. M96 of Deeds on Page 1653

FEE \$35.00

Bernetha G. Letsch, County Clerk
By Bernetha G. Letsch

Application No. 915495
Permit No.

12157

96-01-19P02:55 RCVD

Vol. 196 Page 1653

After recording, mail to: Rudolph Paygr and Mary Jane Paygr, 26112 Paygr Way, Malin, Oregon 97632-9741

QUITCLAIM DEED

Rudolph Paygr and Mary Jane Paygr, Trustees of the Paygr Loving Trust dated October 24, 1990, Grantors, release and quitclaim to Rudolph Paygr and Mary Jane Paygr, Trustees of the Paygr Family Revocable Living Trust dated December 21, 1995, Grantees, the following described real property located in Klamath County, Oregon, to-wit:

See attached Exhibit A.

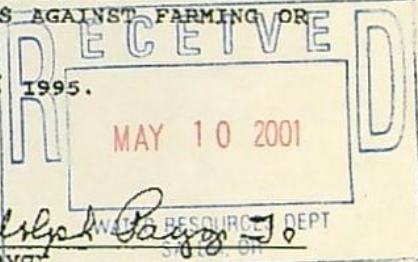
SUBJECT TO AND EXCEPTING RESERVATIONS, RESTRICTIONS, EASEMENTS, AND RIGHTS OF WAY OF RECORD AND THOSE APPARENT UPON THE LAND.

There is no true and actual consideration for this conveyance, it is done for the purposes of estate planning.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSONS ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Dated this 21st day of December, 1995.

GRANTOR

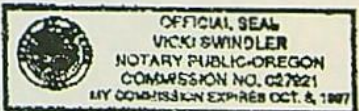


Rudolph Paygr
Rudolph Paygr

Mary Jane Paygr TR
Mary Jane Paygr

STATE OF OREGON)
County of Klamath) ss.

Personally appeared the above-named Rudolph Paygr and Mary Jane Paygr, Trustees, and acknowledged the foregoing instrument to be their voluntary act. Before me this 21 day of December, 1995.



Vicki Swindler
Notary Public for Oregon
My Commission Expires: 10-8-97

35

Application No. 515495
Permit No.

EXHIBIT "A"
LEGAL DESCRIPTION

The S1/2 SE1/4 of Section 36, Township 40 South, Range 11 East, Willamette Meridian; and the N1/2 NE1/4 NE1/4, EXCEPTING the Southerly 15 feet, all of the NW1/4 NE1/4 and the Westerly 15 feet of the following described land: S1/2 NE1/4 NE1/4 and all that part of the SE1/4 NE1/4 lying North of the Adams Canal, all in Section 1, Township 41 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon.

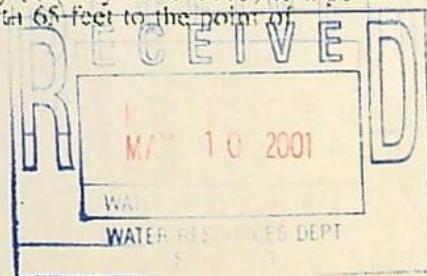
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ALSO EXCEPT THEREFROM: A parcel of land situated in the SW1/4 SE1/4 of Section 36, Township 40 South, Range 11 East, Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows: Beginning at an iron pipe located at the South and East right of way of the old Linkville-Tulelake Road at the point said road leaves the North and South centerline of Section 36, Township 40 South, Range 11 East, Willamette Meridian, and runs East: said iron pipe being also North 1,218.0 feet and North 89 degrees 48' East 30.0 feet from South quarter-section corner of Section 36; thence North 89 degrees 48' East along the South right of way of said Linkville-Tulelake Road, 477.4 feet to the Northwesterly right of way of the County Road #1113 known as Paygr Road; thence along Paygr Road South 43 degrees 06' 20" West 154.25 feet to a beginning of curve; thence around a 10 degree 30' 40" curve to the left (radius 548.05) a distance of 107.68 feet; thence South 31 degrees 47' 20" West 581.5 feet to the intersection of the Westerly right of way of the Old Linkville-Tulelake Road; thence North 690.92 feet, more or less, to the point of beginning.

ALSO EXCEPTING THEREFROM a tract of land for Shasta View Irrigation District as set forth in Volume 91 page 573 and Volume 138 at page 382, Deed Records of Klamath County, Oregon.

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Application No. 915495
Permit No.

EXHIBIT "A"
LEGAL DESCRIPTION

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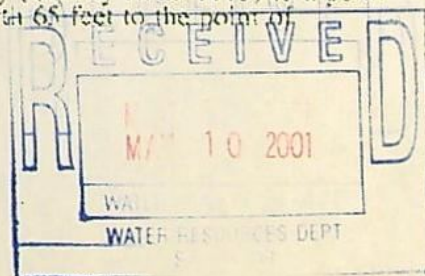
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Application No. 915495
Permit No.

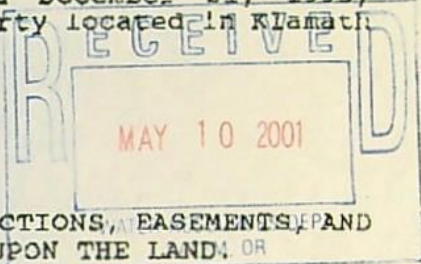
If property is sold, clear title is in order at
Mountain Title for \$550.50 2-9-96

After recording, mail to: Rudolph Paygr and Mary Jane Paygr, 26112
Paygr Way, Malin, Oregon 97632-9741

QUITCLAIM DEED

Rudolph Paygr and Mary Jane Paygr, Trustees of the Paygr
Loving Trust dated October 24, 1990, Grantors, release and
quitclaim to Rudolph Paygr and Mary Jane Paygr, Trustees of the
Paygr Family Revocable Living Trust dated December 21, 1995,
Grantees, the following described real property located in Klamath
County, Oregon, to-wit:

See attached Exhibit A.



SUBJECT TO AND EXCEPTING RESERVATIONS, RESTRICTIONS, EASEMENTS AND
RIGHTS OF WAY OF RECORD, AND THOSE APPARENT UPON THE LAND, OR

There is no true and actual consideration for this conveyance,
it is done for the purposes of estate planning.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED
IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND
REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE
PERSONS ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE
APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED
USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR
FOREST PRACTICES AS DEFINED IN ORS 30.930.

Dated this 21st day of December, 1995.

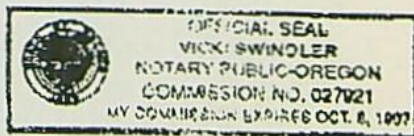
GRANTOR

Rudolph Paygr Jr
Rudolph Paygr

Mary Jane Paygr TB
Mary Jane Paygr

STATE OF OREGON)
County of Klamath) ss.

Personally appeared the above-named Rudolph Paygr and Mary
Jane Paygr, Trustees, and acknowledged the foregoing instrument to
be their voluntary act. Before me this 21 day of December,
1995.



Vicki Swindler
Notary Public for Oregon
My Commission Expires: 10-8-97

Application No. 9157455
Permit No.



Copied

Oregon Water Resources Department Land Use Information Form

RECEIVED
MAY 10 2001

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. DO NOT fill out this form if water is to be diverted, conveyed, or used only on federal lands.

To Be Completed By Applicant

The following section includes information about proposed water use. This section must be completed by the individual or group that is filing an application for a water right with the Water Resources Department.

A. Applicant

Name: Joanne Wallerhurst

Address: 17823 Country Road 85 B

City: Estacada State: CA Zip: 95627 Day Phone: _____

B. Land and Location

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (Attach extra sheets as necessary.) Applicants for municipal use, or irrigation uses within irrigation districts, may substitute existing and proposed service area boundaries for the tax lot information requested below.

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be. (check all that apply)		
R-4011-03600-00400-000	(agriculture)	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used
		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used
		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used

List counties and cities where water is proposed to be diverted, conveyed, or used. Klamath County

C. Description of Water Use

Indicate what the water will be used for. Include the beneficial use (found in the instruction booklet for your water right application) and use the space below to describe the key characteristics of the project.

Beneficial Use(s): Irrigation

Briefly describe: Irrigation to crops.

Application No. 915295
Permit No. _____

D. Source

Indicate the source for the proposed water use:

Reservoir/Pond Ground Water Surface Water _____ (source)

E. Quantity

Indicate the estimated quantity of water the use will require:

CFS GPM Acre-Feet

For Local Government Use Only

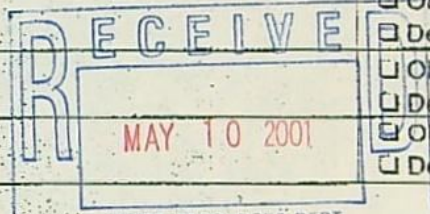
The following section must be completed by a planning official from each county and city listed unless your project will be located entirely within the city limits. In this case, only the city planning agency must complete this form. Please request additional forms as needed or feel free to copy.

A. Allowed Use

Check the appropriate box below and provide requested information.

- Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s); Article 54. Go to section B "Approval" below
- Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Check the item that applies: Land Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input checked="" type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued



Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)

B. Approval

Please provide printed name and written signature.

Name: ALLEN GEORGE Date: 4/2/01
 Title: PLANNER Phone: (541) 883-4200
 Signature: Allen George

C. Additional Comments

Local governments are invited to express special land use concerns or make recommendations to the Department regarding this proposed use of water below, or on a separate sheet.

Application No. 915495
Permit No. _____

Note: If this form cannot be completed while the applicant is present, sign and detach the receipt stub as instructed below. You will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD will presume the land use associated with the proposed water right is compatible with local comprehensive plans. (See attached letter.)

Standard Application "Completeness" Checklist

Minimum Requirements (OAR 690-310-040)

Application # - <u>G-15381</u>	County: <u>KCLAM</u> <u>KCLAM</u>
Priority Date: <u>5.10.01</u>	Township: <u>40 South</u> <u>41 South</u>
Use(s): <u>IRRIGATION</u>	Range: <u>11 East</u> <u>11 East</u>
	Section: <u>36</u> <u>1</u>
	POD ¼¼: <u>NESE</u>
Rate: <u>2.15 CFS</u>	POU ¼¼: <u>SE ¼ of 36</u> <u>NWNE, NENE</u>

- Applicant/Organization Name, Mailing Address and Telephone Number. If applicant is other than a private landowner, Organizations section must be completed.
- Source and tributary listed? Nearest Surface Water body Page 2 (3-B)
- Property ownership indicated? If applicant does not own all the land, is the affected landowner's name and mailing address listed? (Including: Lands, not owned by applicant, upon which the source is locatedor..... any Lands, not owned by applicant, which are crossed by the diversion works.) **NOTE: An easement or agreement DOES NOT need to be submitted at this time, but will be required before a permit will be issued.**
- If a groundwater application...is the groundwater development section completed? Page 2 (3-B and 3-D, if applies)
Page 3 (2. Well Development)
- Proposed Use of the water.... Is each proposed use identified? "I"
- Has the appropriate "Supplemental Form" for each proposed use been completed?
"I" Form I (Irrigation) ___ Form M (Municipal or Quasi-Municipal)
___ Form R (Mining) ___ Form Q (Commercial or Industrial)
___ Spring Description Sheet (if source is a Spring)
- Amount of water from each source listed in GPM, CFS or AF? Page 4 (B)
- Acreage being proposed, if applicable. 172.2

Season being requested by applicant. _____

The water management section has been completed? If system has not been designed, the applicant may estimate this information. _____

Resource protection system completed on Surface Water application? _____

Are the dates of construction indicated? _____
If system already completed, applicant should indicate existing.

Is the application signed in ink by the applicant? If the application is in the name of an organization or corporation, the authorized agent must sign the application.

Is a copy of the deed, land sales contract or title insurance policy included? We cannot accept a copy of the tax bill.

A completed Land-Use Form or receipt signed by the appropriate planning department officials enclosed? Does the use on land-use form match the proposed use on the application?

Does the map meet map requirements of OAR 690-310-050? _____

- Town, Range, Sec, 1/4 and Tax Lot #
- North Directional Symbol
- POU clearly identified
- Location of House, if Domestic
- Location of Bldg, if Comm/Indus
- Muni/Quasi-Muni Service Boundaries
- Scale of the Map
- 1/4's clearly identified
- Location Coordinates for each POD
- Number of acres per 1/4, if Irrigation
- Location of Stock Tanks, if Livestock
- Reference corner on map
- POD clearly identified
- Other _____

Correct fees enclosed? Refer to worksheet to calculate fees.

Remaining Applied To Drought? App.

Total Paid \$ 1525⁰⁰ Base Fee \$ 250⁰⁰
 plus 150⁰⁰
 Total Amount of Water Requested: 2.15 CFS plus 150
 Total Exam Fee \$ 550⁰⁰

Total Exam Fee \$ 555⁰⁰ PAID Recording Fee \$ 175⁰⁰ PAID

Completeness Check by: R.W. Date: 5-11-01